






42.  
100









Digitized by the Internet Archive  
in 2022 with funding from  
University of Toronto

<https://archive.org/details/31761115490609>



Ontario, Statutes, 1951 (2d sen.) / 1952

Statutes  
Ont

# STATUTES

OF THE

## PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD IN THE

Fifteenth Year of the Reign of His Majesty  
KING GEORGE VI

Being the Fourth Session of the Twenty-Third  
Legislature of Ontario

BEGUN AND HOLDEN AT TORONTO ON THE TWENTY-FOURTH DAY OF  
SEPTEMBER IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND FIFTY-ONE



ONTARIO

545782  
8.7.52

HIS HONOUR RAY LAWSON, LIEUTENANT-GOVERNOR

TORONTO

Printed and Published by Baptist Johnston, Printer to the King's Most Excellent Majesty

1951







# TABLE OF CONTENTS

---

15 Geo. VI  
(2nd Sess.)  
1951  
Chap.

## PUBLIC ACTS

### PAGE

- |  |   |
|--|---|
| 1 — An Act respecting Allowances for Blind Persons . . . ( <i>Bill No. 2</i> ) | 1 |
| 2 — An Act respecting Old Age Assistance . . . . . ( <i>Bill No. 1</i> )       | 5 |







ONTARIO

# 15 GEORGE VI

(SECOND SESSION)

## CHAPTER 1

### An Act respecting Allowances for Blind Persons

*Assented to September 27th, 1951  
Session Prorogued September 27th, 1951*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "allowance" means a blind person's allowance provided under this Act and the regulations to the persons and under the conditions specified in *The Blind Persons Act* (Canada) and the regulations made under it; 1951, c. 38  
(Can.)
- (b) "Director" means Director of Old Age Assistance;
- (c) "investigator" means investigator within the meaning of *The Old Age Assistance Act, 1951*; 1951  
(2nd Sess.),  
c. 2
- (d) "local authority" means local authority within the meaning of *The Old Age Assistance Act, 1951*;
- (e) "Minister" means Minister of Public Welfare;
- (f) "recipient" means a person to whom an allowance is granted;
- (g) "regulations" means regulations made under this Act. R.S.O. 1950, c. 258, s. 1, *amended*.

**2.** The Minister, with the approval of the Lieutenant-Governor in Council, may, on behalf of the Government of Ontario, make an agreement with the Minister of National Health and Welfare on behalf of the Government of Canada to provide for the payment by Canada to Ontario in accordance with *The Blind Persons Act* (Canada) and the regulations made under it of amounts in respect of allowances paid by Ontario pursuant to this Act and the regulations, not exceeding, in respect of any recipient, 75 per cent of \$40 monthly or of the amount of allowance paid by Ontario monthly to the recipient, whichever is the lesser. R.S.O. 1950, c. 258, s. 2, *amended*. Agreement  
with Canada  
authorized

Director,  
duties

**3.**—(1) It shall be the duty of the Director,

- (a) to receive applications for allowances;
- (b) to determine the eligibility of each applicant for an allowance, and where the applicant is eligible, to determine the amount thereof and to direct payment accordingly. R.S.O. 1950, c. 258, s. 4, *amended*.

decisions

(2) Subject to the right of the Director to rescind or amend any determination or direction made by him under this Act and the regulations, every such determination and direction is final and is not subject to review by any court of law or otherwise. R.S.O. 1950, c. 258, s. 5.

Allowances  
exempt from  
taxation

**4.**—(1) An allowance is exempt from provincial and municipal taxes.

Allowances  
not assign-  
able

(2) An allowance is not subject to alienation or transfer by the recipient.

Allowances  
not subject  
to seizure  
etc.

(3) An allowance is not subject to attachment or seizure in satisfaction of any claim against the recipient. R.S.O. 1950, c. 258, s. 6.

Voting  
rights

**5.** The receipt of an allowance does not by itself constitute a disqualification of the recipient from voting at any provincial or municipal election. R.S.O. 1950, c. 258, s. 8.

When an  
allowance  
may be paid  
to trustee

**6.** In the case of a recipient,

- (a) for whom a committee or trustee has been appointed;  
or
- (b) who, in the opinion of the Director, is using or is likely to use the allowance otherwise than for his own benefit, or is incapacitated or is incapable of handling his affairs; or
- (c) who consents to the payment of the allowance to a person who is undertaking or liable for his maintenance and care,

the Director may direct that the allowance be paid to a trustee for the benefit of the recipient. R.S.O. 1950, c. 258, s. 7.

Refusal of  
Canada to  
contribute

**7.** Where an allowance has been paid and the Government of Canada,

- (a) refuses to pay any amount in respect thereof; or

(b)



- (b) rules that overpayments have been made to the recipient,

the Lieutenant-Governor in Council may direct that all payments which at that time have been made shall be deemed to be expenses incurred in the administration of this Act. R.S.O. 1950, c. 258, ss. 9, 10.

8. If for any reason the Government of Canada ceases to make the contributions provided for under *The Blind Persons Act* (Canada) or fails to carry out the agreement made under the authority of this Act, all allowances under this Act shall thereafter cease and no further payment of allowances shall be made. R.S.O. 1950, c. 258, s. 11.

When payment of allowances to cease  
1951, c. 38 (Can.)

9.—(1) Allowances and the expenses of the administration of this Act and the regulations are payable out of the moneys appropriated therefor by the Legislature. R.S.O. 1950, c. 258, s. 16.

Funds for purposes of Act

(2) During the period commencing on the day this Act comes into force and ending on the 31st day of March, 1952, the moneys appropriated by the Legislature for pensions for the blind shall be deemed to be moneys appropriated for the purposes of this Act. *New.*

Funds for balance of current fiscal year

10.—(1) No person shall knowingly obtain or receive an allowance that he is not entitled to obtain or receive under this Act and the regulations.

Offences and penalties

(2) No person shall knowingly aid or abet another person to obtain or receive an allowance that such other person is not entitled to obtain or receive under this Act and the regulations.

Idem

(3) Every person who violates subsection 1 or 2 is guilty of an offence and on summary conviction is liable to a penalty of not more than \$50 or to imprisonment for a term of not more than three months or to both fine and imprisonment. *New.*

Idem

11. The Lieutenant-Governor in Council may make regulations,

Regulations

- (a) governing the manner of making application for an allowance;
- (b) providing for the suspension and cancellation of allowances;

(c)

- (c) providing for the whole or part of the cost of providing medical and dental services to recipients or any class or group thereof;
- (d) prescribing the powers and duties of investigators;
- (e) providing for the payment of the expenses of local authorities and for the payment of their remuneration and prescribing their powers and duties;
- (f) providing for the furnishing of notices and information by local authorities to the Director and by the Director to local authorities;
- (g) providing for the making of investigations respecting persons to whom allowances may be paid or by whom or on whose behalf application has been made for an allowance or who are in receipt of an allowance;
- (h) prescribing the material or proof of any fact, including evidence under oath, that is to be furnished before an allowance is paid;
- (i) fixing the intervals at which and the manner in which allowances are to be paid;
- (j) prescribing forms for use under this Act;
- (k) respecting any other matter necessary or advisable to carry out effectively the purposes of this Act. R.S.O. 1950, c. 258, s. 14, *amended*.

Commence-  
ment

**12.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short  
title

**13.** This Act may be cited as *The Blind Persons' Allowances Act, 1951*.



## CHAPTER 2

### An Act respecting Old Age Assistance

*Assented to September 27th, 1951  
Session Prorogued September 27th, 1951*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "assistance" means old age assistance provided under this Act and the regulations to the persons and under the conditions specified in *The Old Age Assistance Act* (Canada) and the regulations made under it; <sup>1951, c. 55 (Can.)</sup>
- (b) "Director" means Director of Old Age Assistance;
- (c) "investigator" means a person designated as such under the regulations and includes a field worker of the Department of Public Welfare;
- (d) "local authority" means the public welfare administrator or public welfare commissioner, if any, or if neither, means the clerk of the municipality or such other person as the council appoints under this Act, and includes a field worker of the Department of Public Welfare;
- (e) "Minister" means Minister of Public Welfare;
- (f) "recipient" means a person to whom assistance is granted;
- (g) "regulations" means regulations made under this Act. R.S.O. 1950, c. 258, s. 1, *amended*.

**2.** The Minister, with the approval of the Lieutenant-Governor in Council, may, on behalf of the Government of Ontario, make an agreement with the Minister of National Health and Welfare on behalf of the Government of Canada to provide for the payment by Canada to Ontario in accord-

Agreement  
with Canada  
authorized

ance

ance with *The Old Age Assistance Act* (Canada) and the regulations made under it of amounts in respect of assistance paid by Ontario pursuant to this Act and the regulations, not exceeding, in respect of any recipient, 50 per cent of \$40 monthly or of the amount of assistance paid by Ontario monthly to the recipient, whichever is the lesser. R.S.O. 1950, c. 258, s. 2, *amended*.

Director,  
appointment

**3.**—(1) There shall be a Director of Old Age Assistance appointed by the Lieutenant-Governor in Council. R.S.O. 1950, c. 258, s. 3, *amended*.

Acting  
Director

(2) Where the Director is absent or there is a vacancy in the office, the powers and duties of the Director shall be exercised and performed by such civil servant as the Minister may designate. *New*.

Director,  
duties

(3) It shall be the duty of the Director,

(a) to receive applications for assistance;

(b) to determine the eligibility of each applicant for assistance, and where the applicant is eligible, to determine the amount thereof and to direct payment accordingly. R.S.O. 1950, c. 258, s. 4.

decisions

(4) Subject to the right of the Director to rescind or amend any determination or direction made by him under this Act and the regulations, every such determination and direction is final and is not subject to review by any court of law or otherwise. R.S.O. 1950, c. 258, s. 5.

Assistance  
exempt from  
taxation

**4.**—(1) Assistance is exempt from provincial and municipal taxes.

Assistance  
not assign-  
able

(2) Assistance is not subject to alienation or transfer by the recipient.

Assistance  
not subject  
to seizure

(3) Assistance is not subject to attachment or seizure in satisfaction of any claim against the recipient. R.S.O. 1950, c. 258, s. 6.

Voting  
rights

**5.** The receipt of assistance does not by itself constitute a disqualification of the recipient from voting at any provincial or municipal election. R.S.O. 1950, c. 258, s. 8.

When  
assistance  
may be paid  
to trustee

**6.** In the case of a recipient,

(a) for whom a committee or trustee has been appointed;  
or

(b)



- (b) who, in the opinion of the Director, is using or is likely to use the assistance otherwise than for his own benefit, or is incapacitated or is incapable of handling his affairs; or
- (c) who consents to the payment of the assistance to a person who is undertaking or liable for his maintenance and care,

the Director may direct that the assistance be paid to a trustee for the benefit of the recipient. R.S.O. 1950, c. 258, s. 7.

**7.** Where assistance has been paid and the Government of Canada, <sup>Refusal of Canada to contribute</sup>

- (a) refuses to pay any amount in respect thereof;
- (b) rules that overpayments have been made to the recipient,

the Lieutenant-Governor in Council may direct that all payments which at that time have been made shall be deemed to be expenses incurred in the administration of this Act. R.S.O. 1950, c. 258, ss. 9, 10.

**8.** If for any reason the Government of Canada ceases to make the contributions provided for under *The Old Age Assistance Act* (Canada) or fails to carry out the agreement made under the authority of this Act, all assistance under this Act shall thereafter cease and no further payments of assistance shall be made. R.S.O. 1950, c. 258, s. 11. <sup>When payment of assistance to cease  
1951, c. 55 (Can.)</sup>

**9.—**(1) The council of a municipality may, subject to the approval of the Minister, appoint a person or persons as local authority or local authorities for the municipality in place of the clerk of the municipality. <sup>Local authorities</sup>

(2) Every local authority is, in the performance of his duties, a commissioner for taking affidavits within the meaning of *The Commissioners for taking Affidavits Act*. R.S.O. 1950, c. 258, s. 15. <sup>Idem  
Rev. Stat., c. 57</sup>

**10.—**(1) Assistance and the expenses of the administration of this Act and the regulations are payable out of the moneys appropriated therefor by the Legislature. R.S.O. 1950, c. 258, s. 16. <sup>Funds for purposes of Act</sup>

(2) During the period commencing on the day this Act comes into force and ending on the 31st day of March, 1952, the moneys appropriated by the Legislature for old age pensions shall be deemed to be moneys appropriated for the purposes of this Act. *New.* <sup>Funds for balance of current fiscal year</sup>

Offences  
and pen-  
alties

**11.**—(1) No person shall knowingly obtain or receive assistance that he is not entitled to obtain or receive under this Act and the regulations.

## Idem

(2) No person shall knowingly aid or abet another person to obtain or receive assistance that such other person is not entitled to obtain or receive under this Act and the regulations.

## Idem

(3) Every person who violates subsection 1 or 2 is guilty of an offence and on summary conviction is liable to a penalty of not more than \$50 or to imprisonment for a term of not more than three months or to both fine and imprisonment.  
*New.*

Regula-  
tions

**12.** The Lieutenant-Governor in Council may make regulations,

- (a) governing the manner of making application for assistance;
- (b) providing for the suspension and cancellation of assistance;
- (c) providing for the whole or part of the cost of providing medical and dental services to recipients or any class or group thereof;
- (d) providing for the designation of persons as investigators and prescribing their powers and duties;
- (e) providing for the payment of the expenses of local authorities and for the payment of their remuneration and prescribing their powers and duties;
- (f) providing for the furnishing of notices and information by local authorities to the Director and by the Director to local authorities;
- (g) providing for the making of investigations respecting persons to whom assistance may be paid or by whom or on whose behalf application has been made for assistance or who are in receipt of assistance;
- (h) prescribing the material or proof of any fact, including evidence under oath, that is to be furnished before assistance is paid;
- (i) fixing the intervals at which and the manner in which assistance is to be paid;
- (j) prescribing forms for use under this Act;

(k)

- (k) respecting any other matter necessary or advisable to carry out effectively the purposes of this Act.  
R.S.O. 1950, c. 258, s. 14.

**13.** *The Old Age Pensions Act* and *The Old Age Pensions Amendment Act, 1951* are repealed on the 31st day of December, 1951. Rev. Stat., c. 258; 1951, c. 60, repealed

**14.** Every notice of the granting of a pension registered in a registry or land titles office under section 13 of *The Old Age Pensions Act* or any predecessor of that section is discharged on the 31st day of December, 1951. Pension notices discharged

**15.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement

**16.** This Act may be cited as *The Old Age Assistance Act, 1951*. Short title





# INDEX

## Fourth Session, Twenty-Third Legislature

### 15 George VI, 1951

---

## B

BLIND PERSONS' ALLOWANCES	PAGE
Act	
commencement.....	4
expenses of administration.....	3
ALLOWANCE	
application for.....	3
cancellation and suspension.....	3
contribution to, refused by Canada.....	2, 3
defined.....	1
exempt from taxation.....	2
funds for payment of.....	3
not assignable.....	2
subject to seizure.....	2
overpayment.....	2, 3
payment to trustee.....	2
proof of facts before payment.....	4
time and manner of payment.....	4
when payment to cease.....	3
DIRECTOR	
defined.....	1
duties.....	2
finality of decisions.....	2
EXPENSES OF ADMINISTRATION	
moneys for.....	3
FORMS	
regulations re.....	4
GOVERNMENT OF CANADA	
agreement with, authorized.....	1
refusal to contribute.....	2, 3
INTERPRETATION	
allowance.....	1
Director.....	1
investigator.....	1
local authority.....	1
Minister.....	1
recipient.....	1
regulations.....	1
INVESTIGATIONS	
regulations re.....	4
INVESTIGATOR	
defined.....	1
powers and duties, regulations re.....	4
LIEUTENANT-GOVERNOR IN COUNCIL	
may make regulations.....	3

BLIND PERSONS' ALLOWANCES—*Continued*

PAGE

## LOCAL AUTHORITY

defined.....	1
expenses and remuneration.....	4
notices and information by and to.....	4
powers and duties.....	4

## MEDICAL AND DENTAL SERVICES

regulations re.....	4
---------------------	---

## MINISTER

defined.....	1
--------------	---

## OFFENCES AND PENALTIES.....

3

## RECIPIENT

defined.....	1
misuse of allowance by.....	2
trustee or committee.....	2
voting rights.....	2

## REGULATIONS

defined.....	1
Lieutenant-Governor in Council may make.....	3, 4

## VOTING RIGHTS

recipients', not affected.....	2
--------------------------------	---

## O

## OLD AGE ASSISTANCE

## ACT

commencement.....	9
expenses of administration.....	7

## ASSISTANCE

application for.....	8
cancellation and suspension.....	8
contribution to, refused by Canada.....	7
defined.....	5
exempt from taxation.....	6
funds for payment of.....	7
not assignable.....	6
subject to seizure.....	6
overpayment.....	7
payment to trustee.....	6, 7
proof of facts before payment.....	8
time and manner of payment.....	8
when payment to cease.....	7

## DIRECTOR

appointment.....	6
of Acting Director.....	6
defined.....	5
duties.....	6
finality of decisions.....	6

## EXPENSES OF ACT

moneys of.....	7
----------------	---

## FORMS

regulations re.....	8
---------------------	---

## GOVERNMENT OF CANADA

agreement with, authorized.....	5
refusal to contribute.....	7



OLD AGE ASSISTANCE—*Continued*

PAGE

## INTERPRETATION

assistance.....	5
Director.....	5
investigator.....	5
local authority.....	5
Minister.....	5
recipient.....	5
regulations.....	5

## INVESTIGATIONS

regulations re.....	8
---------------------	---

## INVESTIGATOR

defined.....	5
designation.....	8
powers and duties, regulations re.....	8

## LIEUTENANT-GOVERNOR IN COUNCIL

may make regulations.....	8
---------------------------	---

## LOCAL AUTHORITY

defined.....	5
expenses and remuneration.....	8
notices and information by and to.....	8
powers and duties.....	8

## MEDICAL AND DENTAL SERVICES

regulations re.....	8
---------------------	---

## MINISTER

defined.....	5
--------------	---

## OFFENCES AND PENALTIES.....

8

## PENSION NOTICES

discharge of.....	9
-------------------	---

## RECIPIENT

defined.....	5
misuse of assistance by.....	6, 7
trustee or committee.....	6, 7
voting rights.....	6

## REGULATIONS

defined.....	5
Lieutenant-Governor in Council may make.....	8

## REPEAL OF FORMER PROVISIONS.....

9

## VOTING RIGHTS

recipients', not affected.....	6
--------------------------------	---









# STATUTES

OF THE

## PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD IN THE

First Year of the Reign of Her Majesty  
QUEEN ELIZABETH II

Being the First Session of the Twenty-Fourth  
Legislature of Ontario

BEGUN AND HOLDEN AT TORONTO ON THE TWENTY-FIRST DAY OF  
FEBRUARY IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND FIFTY-TWO



ONTARIO

---

HIS HONOUR LOUIS ORVILLE BREITHAUP  
LIEUTENANT-GOVERNOR

---

TORONTO

Printed and Published by Baptist Johnston, Printer to the Queen's Most Excellent Majesty  
1952





# TABLE OF CONTENTS

	PAGE
Index to Statutes, 1952.....	507-551
Table of Public Statutes and Amendments: R.S.O. 1950, 1951, 1951 (2nd Sess.) and 1952.....	553-561
Table of Proclamations: R.S.O. 1950, 1951, 1951 (2nd Sess.) and 1952..	563

## PART I

1 Eliz. II  
(1952)  
Chap.

## PUBLIC ACTS

1 — An Act to amend The Administration of Justice Expenses Act <span style="float: right;"><i>(Bill No. 38)</i></span>	1
2 — An Act to amend The Agricultural College Act..... <i>(Bill No. 55)</i>	3
3 — An Act to amend The Assessment Act..... <i>(Bill No. 103)</i>	5
4 — An Act to amend The Auxiliary Classes Act..... <i>(Bill No. 66)</i>	15
5 — An Act to amend The Blind Persons' Allowances Act, 1951 <span style="float: right;"><i>(Bill No. 113)</i></span>	17
6 — An Act to amend The Boards of Education Act..... <i>(Bill No. 117)</i>	19
7 — An Act to amend The Change of Name Act..... <i>(Bill No. 125)</i>	21
8 — An Act to amend The Children of Unmarried Parents Act <span style="float: right;"><i>(Bill No. 143)</i></span>	23
9 — An Act to amend The Children's Protection Act..... <i>(Bill No. 144)</i>	25
10 — An Act to amend The Companies Act..... <i>(Bill No. 135)</i>	27
11 — An Act to amend The Conservation Authorities Act..... <i>(Bill No. 88)</i>	41
12 — An Act to amend The Conveyancing and Law of Property Act <span style="float: right;"><i>(Bill No. 132)</i></span>	47
13 — An Act to amend The Corporations Tax Act..... <i>(Bill No. 112)</i>	49
14 — An Act to amend The County Courts Act..... <i>(Bill No. 57)</i>	61
15 — The Crown Timber Act, 1952..... <i>(Bill No. 56)</i>	65
16 — An Act to amend The Custody of Documents Act..... <i>(Bill No. 39)</i>	85

(1952) Chap.	PAGE
17 — An Act to amend The Dairy Products Act.....( <i>Bill No. 120</i> )	87
18 — An Act to amend The Department of Education Act....( <i>Bill No. 147</i> )	91
19 — An Act to amend The Department of Municipal Affairs Act <span style="float:right;"><i>(Bill No. 85)</i></span>	93
20 — An Act to amend The Dependants' Relief Act.....( <i>Bill No. 52</i> )	97
21 — An Act to amend The Devolution of Estates Act.....( <i>Bill No. 109</i> )	99
22 — An Act respecting Allowances for Disabled Persons.....( <i>Bill No. 114</i> )	101
23 — An Act to amend The Division Courts Act.....( <i>Bill No. 40</i> )	105
24 — An Act to amend The Dower Act.....( <i>Bill No. 93</i> )	107
25 — An Act to amend The Drugless Practitioners Act.....( <i>Bill No. 75</i> )	109
26 — An Act respecting Edible Oil Products.....( <i>Bill No. 140</i> )	111
27 — An Act to authorize Provincial Grants to Assist in the Erection of Housing Units for Elderly Persons.....( <i>Bill No. 145</i> )	113
28 — An Act to amend The Evidence Act.....( <i>Bill No. 41</i> )	115
29 — An Act to repeal The Execution of Trusts Act, 1939.....( <i>Bill No. 51</i> )	117
30 — An Act to amend The Factory, Shop and Office Building Act <span style="float:right;"><i>(Bill No. 149)</i></span>	119
31 — An Act to amend The Forest Fires Prevention Act.....( <i>Bill No. 77</i> )	121
32 — The Forestry Act, 1952.....( <i>Bill No. 142</i> )	123
33 — An Act to amend The Game and Fisheries Act.....( <i>Bill No. 123</i> )	127
34 — An Act to amend The General Sessions Act.....( <i>Bill No. 58</i> )	133
35 — An Act respecting the Health of Live Stock.....( <i>Bill No. 99</i> )	135
36 — An Act to amend The High Schools Act.....( <i>Bill No. 118</i> )	139
37 — An Act to amend The Homes for the Aged Act.....( <i>Bill No. 64</i> )	145
38 — An Act to provide for the Making of Inquiries in Connection with Hospitals, Sanatoria, Charitable Institutions and Other Or- ganizations.....( <i>Bill No. 73</i> )	147
39 — An Act to amend The Housing Development Act.....( <i>Bill No. 94</i> )	149

<sup>1</sup> Eliz. II  
(1952)  
Chap.

	PAGE
40 — An Act to suspend The Income Tax Act (Ontario) in respect of Income of the Calendar Year 1951.....( <i>Bill No. 35</i> )	153
41 — An Act to amend The Insurance Act.....( <i>Bill No. 81</i> )	155
42 — An Act to approve an Agreement between Canada and Ontario respecting the Generation of Electrical Power in the International Rapids Section of the St. Lawrence River.....( <i>Bill No. 68</i> )	157
43 — An Act to amend The Interpretation Act.....( <i>Bill No. 49</i> )	165
44 — An Act to amend The Judicature Act.....( <i>Bill No. 60</i> )	167
45 — An Act to incorporate The Ontario Junior Farmer Establishment Loan Corporation for the Purpose of Assisting Young Farmers .....( <i>Bill No. 97</i> )	169
46 — An Act to amend The Jurors Act.....( <i>Bill No. 61</i> )	177
47 — The Justices of the Peace Act, 1952.....( <i>Bill No. 42</i> )	179
48 — An Act to amend The Juvenile and Family Courts Act....( <i>Bill No. 43</i> )	183
49 — An Act to amend The Land Titles Act.....( <i>Bill No. 50</i> )	185
50 — An Act to amend The Law Stamps Act.....( <i>Bill No. 111</i> )	187
51 — An Act to amend The Legislative Assembly Act.....( <i>Bill No. 98</i> )	189
52 — An Act to amend The Loan and Trust Corporations Act. ..( <i>Bill No. 89</i> )	191
53 — The Magistrates Act, 1952.....( <i>Bill No. 44</i> )	193
54 — An Act to amend The Mechanics' Lien Act.....( <i>Bill No. 91</i> )	199
55 — An Act to amend The Medical Act.....( <i>Bill No. 107</i> )	205
56 — An Act to amend The Mental Hospitals Act.....( <i>Bill No. 115</i> )	207
57 — An Act to amend The Milk and Cream Act.....( <i>Bill No. 119</i> )	211
58 — An Act to amend The Milk Control Act.....( <i>Bill No. 100</i> )	213
59 — An Act to amend The Mining Act.....( <i>Bill No. 84</i> )	215
60 — An Act to amend The Mining Tax Act.....( <i>Bill No. 124</i> )	219
61 — An Act to amend The Mortgages Act.....( <i>Bill No. 130</i> )	223
62 — The Mothers' Allowances Act, 1952.....( <i>Bill No. 63</i> )	225

	PAGE
63 — An Act to amend The Municipal Act. . . . . (Bill No. 92)	229
64 — An Act to amend The Municipal Drainage Act. . . . . (Bill No. 148)	243
65 — An Act to provide for Adjustment of Provincial Grants or Subsidies after Municipal Annexations. . . . . (Bill No. 126)	245
66 — An Act to assist Municipalities by Providing for Payments by Ontario to Municipalities in Lieu of Taxes. . . . . (Bill No. 104)	247
67 — An Act to amend The Natural Gas Conservation Act. . . . (Bill No. 83)	251
68 — An Act to amend The Old Age Assistance Act, 1951. . . . (Bill No. 65)	253
69 — An Act to provide for the Establishment of The Ontario Cancer Institute. . . . . (Bill No. 146)	255
70 — An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. . . . . (Bill No. 134)	257
71 — An Act to amend The Ontario Municipal Board Act. . . . (Bill No. 86)	259
72 — An Act to amend The Parole Act. . . . . (Bill No. 48)	261
73 — An Act to amend The Partition Act. . . . . (Bill No. 131)	263
74 — An Act to amend The Pharmacy Act. . . . . (Bill No. 79)	265
75 — An Act to amend The Planning Act. . . . . (Bill No. 95)	267
76 — An Act to amend The Plant Diseases Act. . . . . (Bill No. 53)	279
77 — An Act to amend The Power Commission Act. . . . . (Bill No. 70; 106)	281
78 — An Act respecting Proceedings Against the Crown. . . . (Bill No. 127)	287
79 — An Act to amend The Professional Engineers Act. . . . . (Bill No. 137)	293
80 — An Act to amend The Provincial Land Tax Act. . . . . (Bill No. 121)	295
81 — An Act to amend The Provincial Loans Act. . . . . (Bill No. 36)	299
82 — An Act to amend The Provincial Parks Act. . . . . (Bill No. 78)	301
83 — An Act to amend The Public Commercial Vehicles Act. . (Bill No. 129)	303
84 — An Act to amend The Public Health Act. . . . . (Bill No. 102)	305
85 — An Act to amend The Public Hospitals Act. . . . . (Bill No. 116)	307
86 — An Act to amend The Public Lands Act. . . . . (Bill No. 122)	311



1 Eliz. II  
(1952)  
Chap.

	PAGE
87 — An Act to amend The Public Libraries Act . . . . . (Bill No. 76)	313
88 — An Act to amend The Public Service Act . . . . . (Bill No. 72)	317
89 — An Act to amend The Public Trustee Act . . . . . (Bill No. 128)	323
90 — An Act to amend The Real Estate and Business Brokers Act (Bill No. 82)	325
91 — An Act to amend The Registry Act . . . . . (Bill No. 45)	327
92 — An Act to provide Financial Assistance in the Building of Houses in Rural Villages and Hamlets and in Other Rural Areas . (Bill No. 96)	329
93 — An Act to amend The Rural Telephone Systems Act, 1951 (Bill No. 105)	331
94 — An Act to amend The Sanatoria for Consumptives Act. . (Bill No. 101)	333
95 — An Act to amend The Sandwich, Windsor and Amherstburg Railway Act, 1939 . . . . . (Bill No. 139)	335
96 — An Act to amend The Securities Act . . . . . (Bill No. 62)	337
97 — An Act to amend The Security Transfer Tax Act . . . . . (Bill No. 110)	339
98 — An Act respecting the Diversion of the Seine River . . . . (Bill No. 150)	341
99 — An Act to amend The Sheriffs Act . . . . . (Bill No. 59)	347
100 — An Act respecting the Development of Power in the International Rapids Section of the St. Lawrence River . . . . . (Bill No. 69)	349
101 — An Act to repeal The Suburban Area Development Act. . (Bill No. 71)	353
102 — An Act to amend The Succession Duty Act . . . . . (Bill No. 108)	355
103 — An Act to amend The Summary Convictions Act . . . . . (Bill No. 37)	357
104 — An Act for granting to Her Majesty certain sums of money for the Public Service for the fiscal year ending the 31st day of March, 1952, and for the Public Service for the fiscal year ending the 31st day of March, 1953 . . . . . (Bill No. 151)	359
105 — An Act to amend The Surrogate Courts Act . . . . . (Bill No. 46)	363
106 — An Act to amend The Territorial Division Act . . . . . (Bill No. 136)	365
107 — An Act to amend The Tourist Establishments Act . . . . . (Bill No. 90)	369
108 — An Act to amend The Trees Act . . . . . (Bill No. 141)	371

	PAGE
109 — An Act to amend The Trustee Act.....( <i>Bill No. 74</i> )	373
110 — An Act to amend The Vendors and Purchasers Act.....( <i>Bill No. 133</i> )	375
111 — An Act to amend The Vocational Education Act.....( <i>Bill No. 47</i> )	377
112 — An Act to amend The Voters' Lists Act, 1951.....( <i>Bill No. 138</i> )	379
113 — The Warble Fly Control Act, 1952.....( <i>Bill No. 54</i> )	381
114 — An Act to amend The Workmen's Compensation Act.....( <i>Bill No. 80</i> )	385

## PART II

## PRIVATE ACTS

115 — An Act respecting the Town of Barrie.....( <i>Bill No. 27</i> )	391
116 — An Act respecting the Canadian National Exhibition Association .....( <i>Bill No. 28</i> )	393
117 — An Act respecting The Ottawa Association for the Advancement of Learning.....( <i>Bill No. 18</i> )	395
118 — An Act respecting Credit Foncier Franco-Canadien.....( <i>Bill No. 31</i> )	403
119 — An Act respecting the Town of Fort Erie.....( <i>Bill No. 30</i> )	405
120 — An Act respecting the City of Fort William.....( <i>Bill No. 7</i> )	407
121 — An Act respecting The Grand Lodge of Ontario of the Independent Order of Odd Fellows.....( <i>Bill No. 24</i> )	419
122 — An Act respecting J. L. Thompson Supply Limited.....( <i>Bill No. 8</i> )	421
123 — An Act respecting the City of Kingston.....( <i>Bill No. 32</i> )	423
124 — An Act respecting the City of London.....( <i>Bill No. 12</i> )	441
125 — An Act respecting the Township of McKim.....( <i>Bill No. 33</i> )	447
126 — An Act respecting the Municipality of Neebing.....( <i>Bill No. 17</i> )	449
127 — An Act respecting the Town of New Toronto.....( <i>Bill No. 1</i> )	451
128 — An Act respecting the Town of Orillia.....( <i>Bill No. 21</i> )	453
129 — An Act respecting the City of Oshawa.....( <i>Bill No. 20</i> )	459
130 — An Act respecting the City of Ottawa.....( <i>Bill No. 25</i> )	463

## CONTENTS

ix

1 Eliz. II  
(1952)  
Chap.

PAGE

131 — An Act respecting the Township of Pelee.....	(Bill No. 23)	469
132 — An Act respecting the City of Sarnia Separate School Board	(Bill No. 2)	471
133 — An Act respecting Sarnia Young Men's and Young Women's Christian Association.....	(Bill No. 4)	473
134 — An Act respecting the City of Sault Ste. Marie.....	(Bill No. 5)	475
135 — An Act respecting St. Patrick's Home of Ottawa.....	(Bill No. 19)	477
136 — An Act respecting the City of Stratford.....	(Bill No. 3)	483
137 — An Act respecting the Synagogue and Jewish Community Centre of Ottawa.....	(Bill No. 11)	485
138 — An Act respecting the Town of Timmins Separate School Board	(Bill No. 6)	487
139 — An Act respecting the City of Toronto.....	(Bill No. 29)	489
140 — An Act respecting the Township of Toronto.....	(Bill No. 26)	493
141 — An Act to incorporate the Trustees of Massey Hall.....	(Bill No. 13)	497
142 — An Act respecting the Young Men's Christian Association of Belleville.....	(Bill No. 22)	505





PART I  
PUBLIC ACTS  
Chapters 1 to 114





# I ELIZABETH II

## CHAPTER 1

### An Act to amend The Administration of Justice Expenses Act

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 4 of *The Administration of Justice Expenses Act* Rev. Stat., c. 5, s. 4, re-enacted is repealed and the following substituted therefor:

**4.** A jail surgeon shall be entitled to receive a fee of \$2 Fee of jail surgeon for the examination of each prisoner eligible for removal or sentenced to the penitentiary, a reformatory or an industrial farm, and for making the certificate, but where a jail surgeon makes more than 1,000 examinations and certificates in any year the fee for each such examination and certificate in excess of 1,000 shall be \$1.

**2.** Item 1 under the heading "OTHER MATTERS" in Rev. Stat., c. 5, Sched. B, amended Schedule B to *The Administration of Justice Expenses Act* is amended by striking out the figures "15" in the third line and inserting in lieu thereof the figures "17".

**3.** This Act may be cited as *The Administration of Justice Expenses Amendment Act, 1952*. Short title



## CHAPTER 2

## An Act to amend The Agricultural College Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The Agricultural College Act* is repealed and the following substituted therefor: R.S.O. 1937, c. 374, s. 7, re-enacted

7.—(1) Upon the recommendation of the Minister of Agriculture, the Lieutenant-Governor in Council may appoint an Advisory Board consisting of not more than twelve members to advise and assist the Minister of Agriculture in the direction and control of the College. Advisory Board

(2) The Board shall be composed of the Deputy Minister of Agriculture, the Chief Director of Education for Ontario and the President of the College and nine other persons who shall be appointed for a term of not more than three years. Idem

(3) Subject to the approval of the Lieutenant-Governor in Council, the Minister of Agriculture may prescribe the powers and duties of the Advisory Board and the amounts to be paid to the members for travelling expenses and allowances for attendance at the meetings. Idem

2. Section 13 and section 14, as amended by section 4 of *The Statute Law Amendment Act, 1946*, of *The Agricultural College Act* are repealed and the following substituted therefor: R.S.O. 1937, c. 374, s. 13, re-enacted; s. 14, repealed

13.—(1) The President of the College shall make an annual report upon the affairs of the College to the Minister of Agriculture who shall file a copy of it with the Provincial Secretary. Annual report

(2) The Provincial Secretary shall submit the report to the Lieutenant-Governor in Council and shall then Tabling

lay



lay the report before the Assembly, if it is in session, or if not, at the next ensuing session.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Agricultural College Amendment Act, 1952.*

## CHAPTER 3

## An Act to amend The Assessment Act

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Paragraph 9 of section 4 of *The Assessment Act* is amended by striking out the words “Except as provided in sections 39 and 40” at the commencement thereof, so that the paragraph shall read as follows: Rev. Stat.,  
c. 24, s. 4,  
par. 9,  
amended

9. The property belonging to or leased by any county or municipality or vested in or controlled by any public commission wherever situate and whether occupied for the purposes thereof or unoccupied; but not when occupied by a tenant or lessee, nor when used for parking vehicles where a fee is charged for such parking. Municipal  
property

(2) Paragraph 19 of the said section 4 is repealed and the following substituted therefor: Rev. Stat.,  
c. 24, s. 4,  
par. 19,  
re-enacted

19. The buildings and other structures erected or placed upon the lands of a co-operative corporation and owned, occupied and used solely for the purposes of carrying on a co-operative cold storage plant for the sole use of the members of the corporation, if the corporation is or has been aided by way of loan or grant by the Governments of Canada and Ontario, or either of them; provided that such exemption shall not apply to the land upon which such buildings or structures are erected or placed except to the extent the land may be exempted under paragraph 62 of subsection 1 of section 388 of *The Municipal Act*. Buildings  
of a co-  
operative  
cold storage  
plant  
  
Rev. Stat.,  
c. 243

**2.** *The Assessment Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 24,  
amended

4a. The council of any local municipality may pass by-laws exempting from taxes, other than school taxes and local improvement rates, the land of any Exemption  
of religious  
institutions

religious

religious institution named in the by-law, provided that the land is owned by the institution and occupied and used solely for recreational purposes, on such conditions as may be set out in the by-law.

Rev. Stat.,  
c. 24, s. 6,  
subs. 1, cl. *k*,  
amended

3.—(1) Clause *k* of subsection 1 of section 6 of *The Assessment Act* is amended by striking out the words “other than a transportation system owned or operated by or for a municipal corporation” in the third and fourth lines, so that the clause shall read as follows:

- (*k*) Every person carrying on the business of a telegraph or telephone company, or of a transportation system, or of the transmission of oil or water, or of steam, heat, gas or electricity for the purposes of light, heat or power, for a sum equal to twenty-five per cent of the assessed value of the land (not being a highway, lane or other public communication or public place or water or private right-of-way), occupied or used by such person, exclusive of the value of any machinery, plant or appliances erected or placed upon, in, over, under or affixed to such land.

Rev. Stat.,  
c. 24, s. 6,  
amended

(2) The said section 6 is amended by adding thereto the following subsection:

Co-operative  
cold storage  
plants

- (9*a*) No corporation entitled to an exemption under paragraph 19 of section 4 and occupying or using land solely for the purpose of a co-operative cold storage plant shall be liable to business assessment in respect of such land.

Rev. Stat.,  
c. 24, s. 8,  
subs. 1,  
amended

4. Subsection 1 of section 8 of *The Assessment Act* is amended by striking out the words “Provincial Secretary” in the third line and inserting in lieu thereof the word “Minister”, so that the first four lines of the subsection shall read as follows:

Returns by  
telegraph  
and tele-  
phone  
companies

- (1) Every telegraph and telephone company doing business in Ontario shall on or before the 1st day of March in each year transmit to the Minister a statement in writing showing,

. . . . .

Rev. Stat.,  
c. 24, s. 9,  
subs. 4,  
amended

5.—(1) Subsection 4 of section 9 of *The Assessment Act* is amended by striking out the words “Provincial Secretary” in the third line and inserting in lieu thereof the word “Minister”, so that the subsection shall read as follows:

- (4) Upon the passing, amending or repealing of a by-law under subsection 1, the clerk shall forthwith transmit a copy thereof to the Minister and to every telephone and telegraph company carrying on business in the areas defined in the by-law. Duty of clerk

(2) Subsection 5 of the said section 9 is amended by striking out the words "Provincial Secretary" in the fourth line and inserting in lieu thereof the word "Minister", so that the subsection shall read as follows: Rev. Stat., c. 24, s. 9, subs. 5, amended

- (5) Every telephone and telegraph company doing business in a township in which a by-law under this section is in force shall on or before the 1st day of March in each year transmit to the Minister and to the clerk of the township a statement in writing signed by or on behalf of the company and verified in the manner prescribed in subsection 2 of section 8 showing the amount of the gross receipts of the company in the areas defined in the by-law for the year ending on the 31st day of December then last past. Return by companies

**6.** Section 22 of *The Assessment Act* is repealed.

Rev. Stat., c. 24, s. 22, repealed

**7.**—(1) Section 25 of *The Assessment Act* is amended by inserting after the word "roll" in the third line the words "as public school supporters or" and by adding at the end thereof the words "except that the notice of complaint may be given at any time on or before the 14th day of October or the last day for appealing to the court of revision, whichever is the later", so that the section shall read as follows: Rev. Stat., c. 24, s. 25, amended

25. The court of revision shall hear and determine all complaints with regard to persons alleged to be wrongfully placed upon or omitted from the roll as public school supporters or as Roman Catholic separate school supporters, and any person so complaining or any ratepayer may give notice in writing to the clerk of the municipality of such complaint, and the provisions of this Act as to giving notice of complaints against the assessment roll and proceedings for the trial thereof shall apply to complaints under this section except that the notice of complaint may be given at any time on or before the 14th day of October or the last day for appealing to the court of revision, whichever is the later. School support

(2) The said section 25 is further amended by adding thereto the following subsection: Rev. Stat., c. 24, s. 25, amended

- (2) Liability in respect of public or separate school support shall be determined in accordance with the circumstances existing at the time the notice of complaint was given. Determination of school support, time for

Rev. Stat.,  
c. 24, s. 33,  
amended

Effect of  
tax sale  
or tax  
certificate  
registra-  
tion

8. Section 33 of *The Assessment Act* is amended by adding thereto the following subsections:

(4a) Where land, the mining rights in which are liable for acreage tax under *The Mining Tax Act*,

(a) is sold for taxes under this Act; or

(b) is vested in a municipality or school board upon registration of a tax arrears certificate under *The Department of Municipal Affairs Act*,

on or after the 1st day of April, 1951, such sale or vesting shall create a severance of the surface rights from the mining rights, and only the surface rights in the land shall pass to the tax sale purchaser or vest in the municipality or school board, as the case may be, and the sale or registration shall not in any way affect the mining rights.

before  
April 1,  
1951

(4b) Notwithstanding subsection 4a or anything else in this or any other Act but subject to any forfeiture to the Crown legally effected under *The Mining Tax Act* or its predecessor, where land the mining rights in which were liable for acreage tax under *The Mining Tax Act* or its predecessor,

(a) was sold for taxes under this Act or its predecessor; or

(b) was vested in a municipality or school board upon registration of a tax arrears certificate under *The Department of Municipal Affairs Act* or its predecessor,

before the 1st day of April, 1951, and there had been, before the sale or registration, no severance of the surface rights from the mining rights, and the sale or certificate purported to vest all rights in the land in the tax sale purchaser or in the municipality or school board, as the case may be, such sale or certificate shall be deemed to have vested in the tax sale purchaser or in the municipality or school board, as the case may be, without severance, both the surface and mining rights.

Rev. Stat.,  
c. 24,  
amended

9. *The Assessment Act* is amended by adding thereto the following section:

Regulations,  
payments to  
mining  
municipalities

33a.—(1) The Minister may make regulations,

(a) providing for the making of payments to mining municipalities, and providing a formula or method of computing such payments;

(b) prescribing the terms and conditions of such payments;

(c)



- (c) prescribing definitions of any word or expression, except the expression "mining municipality", whether or not used in this Act, for the purposes of the regulations;
  - (d) designating municipalities as mining municipalities for the purposes of the regulations;
  - (e) providing, in respect of any matter dealt with in or under the regulations, that the approval of the Minister shall be required.
- (2) Where a municipality receives a payment in any *Idem* year under the regulations made under subsection 1, it shall not assess or tax the profits of any mine or mineral work under subsection 5 or 8 of section 33 in that year and the payment shall be distributed in the manner provided in subsection 9 of section 33.
- (3) Payments made under subsection 1 shall be paid out *Idem* of such moneys as may be appropriated therefor by the Legislature.

**10.** Sections 39, 40 and 41 of *The Assessment Act* are *Rev. Stat., c. 24, s. 39, re-enacted; ss. 40, 41, repealed* repealed and the following substituted therefor:

39.—(1) In this section,

*Interpretation*

(a) "commission" means the council of a municipal corporation, or a commission or trustees or other body, operating a public utility for or on behalf of the corporation;

(b) "public utility" means a public utility as defined in *The Department of Municipal Affairs Act*. *Rev. Stat., c. 96*

- (2) For the purposes of this section, land and buildings *Property deemed vested in commission* owned by and vested in a municipal corporation and used for the purposes of a public utility shall be deemed to be vested in the commission operating the public utility.
- (3) Every commission shall pay in each year, to any *Annual payments to municipalities* municipality in which are situated lands or buildings owned by and vested in the commission and used for the purposes of the public utility it operates, the total amount that all rates, except, subject to subsections 4 and 5, rates on business assessment, levied in that municipality for taxation purposes

based on the assessed value of the land at the actual value thereof according to the average value of land in the locality and the assessed value of such buildings, would produce.

*Idem*

- (4) The commission shall also pay the amount that the current rates on business assessment on the lands or buildings referred to in subsection 3, not including any lands or buildings referred to in subsection 5, would produce based on the applicable percentage of the assessed value provided for in subsection 3.

*Idem*

- (5) The commission shall also pay the amount that the current rates on business assessment would produce on lands and buildings owned or occupied by the commission for carrying on the business of selling by retail electrical goods, supplies or appliances.

Local  
improve-  
ments  
Rev. Stat.  
c. 215

- (6) Notwithstanding section 59 of *The Local Improvement Act*, the commission shall pay local improvement assessments.

Credit to  
municipal  
general fund

- (7) The payments received under subsections 3, 4 and 5 shall be credited by the municipality to the general fund of the municipality.

Mode of  
assessment,  
appeals

- (8) Subject to subsections 3, 4 and 9, the property on which payment is to be made under subsections 3, 4 and 5 shall be assessed according to this Act, and the provisions of this Act respecting appeals shall apply.

Exemptions

- (9) In making the assessment referred to in subsection 8, there shall be no assessment of machinery whether fixed or not nor the foundation on which it rests, works, structures other than buildings referred to in subsection 3 or 5, substructures, superstructures, rails, ties, poles, towers, lines nor any of the things excepted from exemption from taxation by paragraph 17 of section 4, nor other property, works or improvements not referred to in subsection 3 or 5, nor to an easement or the right or use of occupation or other interest in land not owned by the commission.

Application  
of section

- (10) The provisions of this section shall apply notwithstanding anything in this or any other general or special Act or any agreement heretofore made and any agreement heretofore made under which a commission pays taxes, or money in lieu of taxes or for municipal services, shall be void.

**11.** Subsection 1 of section 46 of *The Assessment Act* is amended by striking out the word and figures "or 22" in the fifth line, so that the subsection shall read as follows: Rev. Stat., c. 24, s. 46, subs. 1, amended

- (1) The assessor or his assistant shall prior to the completion of the assessment roll for the municipality or ward, as the case may be, deliver in the manner hereinafter provided to every person named therein, except persons entered on the roll under section 21 a notice (Form 3) of the sum or sums for which such person has been assessed and such other particulars as are mentioned in the Form, and shall enter in the roll opposite the name of the person the date of delivery of the notice and the entry shall be *prima facie* evidence of the delivery. Notice of assessment

**12.** Clause *a* of subsection 1 of section 51 of *The Assessment Act*, as re-enacted by section 3 of *The Assessment Amendment Act, 1951*, is amended by inserting after the word "value" in the first line the words "or increase in value as the case requires", so that the clause shall read as follows: Rev. Stat., c. 24, s. 51, subs. 1, cl. a (1951, c. 4, s. 3), amended

- (a) the value or increase in value as the case requires, as certified by the assessor, of any building as determined by section 33 which after the 1st day of January is erected, altered or enlarged and as erected, altered or enlarged is occupied or reasonably fit for occupancy.

**13.** Clause *a* of subsection 1 of section 51a of *The Assessment Act*, as enacted by section 3 of *The Assessment Amendment Act, 1951*, is amended by inserting after the word "value" in the first line the words "or increase in value as the case requires", so that the clause shall read as follows: Rev. Stat., c. 24, s. 51a, subs. 1, cl. a (1951, c. 4, s. 3), amended

- (a) the value or increase in value as the case requires, as certified by the assessor, of any building as determined by section 33 which after the return of the roll is erected, altered or enlarged and as erected, altered or enlarged is occupied or reasonably fit for occupancy.

**14.** Section 53 of *The Assessment Act* is amended by adding thereto the following subsection: Rev. Stat., c. 24, s. 53, amended

- (8a) Where in any year it appears to the council of a municipality that the court of revision will not dispose of the appeals within the required time, the council may by by-law extend the time for closing the court of revision for such period, not exceeding sixty days, as appears necessary. Extension of time for closing court of revision

Rev. Stat.,  
c. 24, s. 62,  
subs. 1,  
re-enacted

**15.** Subsection 1 of section 62 of *The Assessment Act* is repealed and the following substituted therefor:

County  
court of  
revision

- (1) Where a county assessor is appointed under section 86, the council of the county may establish a county court of revision to act in lieu of the court of revision referred to in section 61 on assessment appeals, but the county court of revision shall not deal with applications under section 124, 135 or 137 of this Act or appeals under any other Act.

Rev. Stat.,  
c. 24, s. 72,  
subs. 11,  
amended

**16.** Subsection 11 of section 72 of *The Assessment Act* is amended by inserting after the figure "6" in the second line the word, figure and letter "or 8a", so that the subsection shall read as follows:

Extension  
of time  
for deter-  
mination  
of appeals

- (11) Where in any year the time for closing the court of revision in a municipality is extended under subsection 6 or 8a of section 53, the time for the judge to determine appeals is correspondingly extended.

Rev. Stat.,  
c. 24, s. 113,  
subs. 3,  
re-enacted

**17.** Subsection 3 of section 113 of *The Assessment Act* is repealed and the following substituted therefor:

Penalty  
for non-  
payment  
of taxes

- (3) The council may by by-law impose a percentage charge as a penalty for non-payment of taxes or any class or instalment thereof not exceeding one per cent on the first day of default and on the first day of each calendar month thereafter in which default continues, but not after the end of the year in which the taxes are levied.

Idem

- (3a) In any municipality in which a by-law has not been passed under subsection 3, the council may by by-law impose a penalty not exceeding two per cent on all taxes of the current year remaining unpaid on the first day of default after the 15th day of December of the year in which the taxes are levied.

Rev. Stat.,  
c. 24, s. 123,  
subs. 4,  
amended

**18.—**(1) Subsection 4 of section 123 of *The Assessment Act* is amended by striking out the words "any year" in the second line and inserting in lieu thereof the words "the year in which the by-law becomes effective and in each subsequent year", so that the subsection shall read as follows:

Inclusion  
of business  
assessment  
with revised  
assessment  
roll

- (4) The assessment of business so made and completed in the year in which the by-law becomes effective and in each subsequent year, whether or not it is completed by the time provided by the by-law,

shall



shall upon its final revision, be the assessment of business on which the rates of taxation upon business for such year shall be levied by the council and the assessment roll thereof with the assessment roll of real property and other assessments made for the same year shall when both thereof are finally revised together form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purposes of this Act, *The Municipal Act* and any other general or special Act. Rev. Stat., c. 243

(2) The said section 123 is amended by adding thereto the following subsection: Rev. Stat., c. 24, s. 123, amended

(7) A by-law repealing a by-law passed under subsection 1 shall be passed not later than the 31st day of March in the year in which it is to become effective, and where a repealing by-law is passed the assessment of business made in the preceding year shall be the assessment on which the rates of taxation upon business for the current year shall be levied, and in the current and each subsequent year the assessment of business shall be made together with the assessment of real property for taxation in the following year. Repealing by-law

**19.**—(1) Subsection 2 of section 124 of *The Assessment Act* is amended by striking out the word "March" in the second line and inserting in lieu thereof the word "January", so that the subsection shall read as follows: Rev. Stat., c. 24, s. 124, subs. 2, amended

(2) The application may be made at any time during the year and until the 31st day of January in the following year and notice in writing of the application shall be given to the clerk of the municipality or the assessment commissioner, if any. Time for making application

(2) The said section 124 is amended by adding thereto the following subsections: Rev. Stat., c. 24, s. 124, amended

(2a) The court of revision shall hear and dispose of every application within two months of the receipt of the application but in no case later than the 28th day of February of the year following the year in respect of which the application is made. Time for disposal of application

(3a) The county judge shall hear and determine all appeals not later than the 30th day of April of the year following the year in respect of which the application is made. Appeals to county judge



Rev. Stat.,  
c. 24, s. 173,  
amended

**20.** Section 173 of *The Assessment Act* is amended by adding thereto the following subsections:

Further  
notice

- (2) Notwithstanding subsection 1, the treasurer may, at any time after the expiration of ten years from the date of the sale, cause to be sent by registered mail, to each person to whom notice was sent under subsection 2 of section 174, a further notice that if he does not apply for a conveyance of the land under subsection 1 and tender the payment required under subsection 1 within six months of the date the notice is sent, his right to do so will expire.

Cessation  
of rights  
under  
subs. 1

- (3) If a person notified under subsection 2 does not apply for a conveyance and tender the payment required under subsection 1 within the said six months, his right to do so shall cease to exist.

Commence-  
ment

**21.**—(1) This Act, except sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 17 and 19, comes into force on the day it receives Royal Assent.

Idem

(2) Subsection 1 of section 1, section 2, subsection 1 of section 3, and sections 6, 9, 10, 11, 12, 13 and 17, shall be deemed to have come into force on the 1st day of January, 1952.

Idem

(3) Subsection 2 of section 1, subsection 2 of section 3, and sections 4, 5 and 19, come into force on the 1st day of January, 1953.

Idem

(4) Section 8 comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title

**22.** This Act may be cited as *The Assessment Amendment Act, 1952*.

## CHAPTER 4

## An Act to amend The Auxiliary Classes Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The Auxiliary Classes Act* is repealed and the following substituted therefor: Rev. Stat., c. 29, s. 7, re-enacted

7.—(1) Subject to the regulations, pupils may be admitted to auxiliary classes upon the report and recommendation, approved by the Inspector of Auxiliary Classes, of a board consisting of, Admission only on recommendation

(a) the principal of the school;

(b) a legally qualified psychiatrist or other legally qualified medical practitioner appointed by the school board; and

(c) the school inspector.

(2) The principal of the school shall be the chairman of the board and where there is more than one inspector in the inspectorate the senior inspector, or an inspector nominated by him, shall be the school inspector on the board. Chairman and inspector

(3) Subject to the regulations, a resident pupil, Compulsory attendance

(a) who is required to attend school under *The School Attendance Act* or *The Adolescent School Attendance Act*; and Rev. Stat., cc. 347, 6

(b) in respect of whom a report recommending his admission to an auxiliary class established by the school board has been made and approved under subsection 1,

may be required by the school board to attend such auxiliary class.

No fees  
for resident  
pupils

- (4) No fees shall be payable in respect of the instruction of resident pupils attending auxiliary classes.

Non-  
resident  
pupils

- (5) Non-resident pupils may be admitted to auxiliary classes under the terms permitted or prescribed by the regulations, and upon payment of such fees for instruction and for board and lodging as may be fixed by the board and approved by the Minister of Education.

Commence-  
ment

- 2.** This Act comes into force on the day it receives Royal Assent.

Short title

- 3.** This Act may be cited as *The Auxiliary Classes Amendment Act, 1952.*

## CHAPTER 5

**An Act to amend The Blind Persons' Allowances Act, 1951**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 2 of *The Blind Persons' Allowances Act, 1951* <sup>1951 (2nd Sess.), c. 1, s. 2, amended</sup> is amended by adding thereto the following subsection:

(2) Allowances may be paid in accordance with the <sup>Payment authorized</sup> agreement made under subsection 1.

**2.** This Act shall be deemed to have come into force on the <sup>Commence-ment</sup> 1st day of January, 1952.

**3.** This Act may be cited as *The Blind Persons' Allowances* <sup>Short title</sup> *Amendment Act, 1952.*





## CHAPTER 6

**An Act to amend The Boards of Education Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 3 of *The Boards of Education Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 38, s. 3,  
amended

(3) In this section, "school section" includes a city or a separated town. Interpre-  
tation

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Boards of Education Amendment Act, 1952*. Short title



## CHAPTER 7

**An Act to amend The Change of Name Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 22 of *The Change of Name Act* is amended by adding thereto the following subsections: Rev. Stat.,  
c. 47, s. 22,  
amended
  - (2) Any person whose application for a change of name is hereafter refused under subsection 1 of section 16 and who thereafter uses the name he sought to adopt in such application shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than \$500 or to imprisonment for a term of not more than six months. Use of  
refused name
  - (3) Any person who, after having been convicted of an offence against this Act, again offends against this Act shall be liable to a penalty of not more than double the maximum penalty provided for the offence. Second and  
subsequent  
offences
2. This Act may be cited as *The Change of Name Amendment Act, 1952*. Short title



## CHAPTER 8

# An Act to amend The Children of Unmarried Parents Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *b* of subsection 1 of section 13 of *The Children of Unmarried Parents Act* is repealed and the following substituted therefor: Rev. Stat., c. 51, s. 13, subs. 1, cl. b, re-enacted

- (*b*) such sum of money at such intervals as may be deemed proper towards the maintenance of the child until the child attains the age of sixteen years, or a lump sum in lieu of such payments which shall form a principal consuming annuity, the balance of which, in the event of the death of the child before the age of sixteen years, shall revert to the Province unless otherwise ordered by a judge.

2. Section 14 of *The Children of Unmarried Parents Act* is amended by striking out the words "a weekly sum of money" in the third line and inserting in lieu thereof the words "such sum of money at such intervals as may be deemed proper", so that the section shall read as follows: Rev. Stat., c. 51, s. 14, amended

14. The judge may in his discretion upon the same or a like application order that the mother of a child born out of wedlock shall contribute such sum of money at such intervals as may be deemed proper towards the maintenance of the child until the child reaches the age of sixteen years. Liability of mother for maintenance of child

3. This Act comes into force on the day it receives Royal Assent. Commencement

4. This Act may be cited as *The Children of Unmarried Parents Amendment Act, 1952*. Short title





## CHAPTER 9

**An Act to amend The Children's Protection Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 5a of section 7 of *The Children's Protection Act*, as enacted by section 1 of *The Children's Protection Amendment Act, 1951*, is amended by striking out the words "except in a territorial district where" in the sixth line and inserting in lieu thereof the words "and where the child does not belong to a municipality", so that the subsection shall read as follows:

(5a) Stenographers appointed under clause *b* of subsection 5 shall be allowed the fees for taking down and transcribing evidence prescribed under *The Magistrates Act*, and such fees shall be paid by the municipality to which the child concerned in the proceedings belongs and where the child does not belong to a municipality they may be paid out of such moneys as may be appropriated therefor by the Legislature.

**2.** This Act comes into force on the day it receives Royal Assent.

**3.** This Act may be cited as *The Children's Protection Amendment Act, 1952*.



## CHAPTER 10

## An Act to amend The Companies Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 29 of *The Companies Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 59, s. 29,  
re-enacted

29.—(1) Where sufficient cause is shown, the Lieutenant-Governor in Council may, upon such conditions and subject to such provisions as he may deem proper by order, Termination  
of existence  
of corpora-  
tion, for  
cause

(a) declare the letters patent of a corporation incorporated by letters patent to be forfeited and fix the date on which the corporation shall be dissolved;

(b) declare the corporate existence of a corporation incorporated otherwise than by letters patent to be terminated and fix the date on which the corporation shall be dissolved; or

(c) declare any supplementary letters patent issued to a corporation to be revoked and forfeited.

(2) Where it appears that a corporation is in default for a period of one year in filing the annual returns and that notice of such default has been sent by registered mail to each director of record in the Department of the Provincial Secretary to the last address set out thereon and has been published in *The Ontario Gazette*, the Lieutenant-Governor in Council may by order, for default  
in filing  
annual  
return

(a) cancel the letters patent of a corporation incorporated by letters patent and fix the date on which the corporation shall be dissolved; or

(b)

- (b) terminate the corporate existence of a corporation incorporated otherwise than by letters patent and fix the date on which the corporation shall be dissolved.

Rev. Stat.,  
c. 59, s. 149,  
subs. 1,  
amended

**2.** Subsection 1 of section 149 of *The Companies Act* is amended by inserting after the word "rendered" in the eighth line the words "by the member or shareholder or" and by inserting after the word "shareholder" in the ninth line the words "or to the corporation", so that the subsection shall read as follows:

Distribu-  
tion of any  
surplus

- (1) Subject to section 148, the surplus arising from the business of the corporation in each fiscal year shall be allocated, credited or paid to the members or shareholders in proportion to the business done by each member or shareholder with or through the corporation, computed at a rate in relation to the quantity, quality or value of the goods or products acquired, marketed, handled, dealt in or sold, or services rendered by the member or shareholder or by the corporation from or on behalf of or to the member or shareholder or to the corporation, whether as principal or as agent of the member or shareholder or otherwise, with appropriate differences in the rate for different classes, grades or qualities thereof.

Rev. Stat.,  
c. 59,  
ss. 298, 299,  
re-enacted

**3.** Sections 298 and 299 of *The Companies Act* are repealed and the following substituted therefor:

Powers of  
Ontario  
insurers:

298.—(1) Subject to subsections 2 to 15, an insurer incorporated under the law of Ontario may invest its funds, or any portion thereof, in the purchase of,

government  
securities

- (a) the bonds, debentures, stocks or other evidences of indebtedness of or guaranteed by the government of,

(i) Canada, Australia, Ceylon, India, New Zealand, Pakistan, the Union of South Africa, and the United Kingdom, or any province or state thereof, and Southern Rhodesia and the Republic of Ireland,

(ii) a colony of the United Kingdom,

(iii) the United States of America or a state thereof, or

(iv)



- (iv) a country in which the insurer is carrying on business, or a province or state thereof, or a colony, dependency, territory or possession thereof in which the insurer is carrying on business;
- (b) the bonds, debentures or other evidences of indebtedness of or guaranteed by a municipal corporation in Canada or elsewhere where the insurer is carrying on business or of a school corporation in Canada or elsewhere where the insurer is carrying on business, or secured by rates or taxes levied under the authority of the government of a province of Canada on property situate in such province and collectable by the municipalities in which such property is situate; <sup>municipal, etc., securities</sup>
- (c) the bonds or debentures of a corporation that are secured by the assignment to a trust corporation in Canada of an annual payment that the Government of Canada has agreed to make, where such annual payment is sufficient to meet the interest falling due on the bonds or debentures outstanding and the principal amount of the bonds or debentures maturing for payment in the year in which the annual payment is made; <sup>bonds secured by Dominion payment</sup>
- (d) the bonds or debentures issued by a charitable, educational or philanthropic corporation where annual subsidies, sufficient to meet the interest as it falls due on the bonds or debentures and to meet the principal amount of the bonds or debentures on maturity, are by virtue of a general or private Act of a province of Canada heretofore passed, payable by or under the authority of the province to a trust corporation as trustee for the holders of the bonds or debentures; <sup>bonds secured by provincial subsidy</sup>
- (e) the bonds, debentures or other evidences of indebtedness of a corporation that are fully secured by statutory charge upon real estate or upon the plant or equipment of the corporation used in the transaction of its business, if interest in full has been paid regularly for a period of at least ten years immediately preceding the date of investment in such bonds, debentures or other evidences of indebtedness upon the securities of that class of the corporation then outstanding; <sup>debentures secured by statutory charge upon real estate, plant or equipment</sup>

(f)

revenue  
bonds

(f) the bonds, debentures or other evidences of indebtedness issued by an authority or other body without share capital established and empowered pursuant to the law of a country in which the insurer is carrying on business, or of a province or state thereof, or of a colony, dependency, territory or possession thereof in which the insurer is carrying on business, to administer, regulate the administration of, provide or operate port, harbour, airport, bridge, highway, tunnel, transportation, communication, sanitation, water, electricity or gas services or facilities and, for any of these purposes, to levy, impose or make taxes, rates, fees or other charges that.

(i) may be used only in carrying out the objects of the authority or other body and are sufficient to meet its operating, maintenance and debt service charges, or

(ii) in the case of an authority constituted by an Act of a national government, are fixed or authorized by law or subject to the approval of the government or a minister or ministry thereof or of a body responsible to the government or the minister or ministry;

bonds, etc.,  
secured by  
mortgage

(g) the bonds, debentures or other evidences of indebtedness of a corporation that are fully secured by a mortgage, charge or hypothec to a trustee upon any, or upon any combination, of the following assets:

(i) real estate,

(ii) the plant or equipment of a corporation that is used in the transaction of its business, or

(iii) bonds, debentures or other evidences of indebtedness or shares of a class or classes authorized by this subsection as investments,

and the inclusion, as additional security under the mortgage, charge or hypothec, of any other assets not of a class authorized by

this

this Act as investments shall not render such bonds, debentures or other evidences of indebtedness ineligible as an investment;

- (h) obligations or certificates issued by a trustee <sup>equipment</sup> to finance the purchase of transportation <sup>trust certi-</sup> equipment for a railway corporation incor- <sup>ificates of</sup> porated in Canada or in the United States of <sup>railways</sup> America, if the obligations or certificates are fully secured by,
  - (i) an assignment of the transportation equipment to, or the ownership thereof by, the trustee, and
  - (ii) a lease or conditional sale thereof by the trustee to the railway corporation;
- (i) the bonds, debentures or other evidences of <sup>debentures</sup> indebtedness,
  - (i) of a corporation that has paid a dividend in each of the five years immediately preceding the date of investment at least equal to the specified annual rate upon all of its preferred shares or a dividend in each year of a period of five years ended less than one year before the date of investment upon its common shares of at least 4 per cent of the average value at which the shares were carried in the capital stock account of the corporation during the year in which the dividend was paid, or
  - (ii) of or guaranteed by a corporation where the earnings of the corporation in a period of five years ended less than one year before the date of investment have been equal in sum total to at least ten times and in each of any four of the five years have been equal to at least one and one-half times the annual interest requirements at the date of investment on all indebtedness of or guaranteed by it other than indebtedness classified as a current liability in the balance sheet of the corporation; and if the corporation at the date of investment owns directly

or

or indirectly more than 50 per cent of the common shares of another corporation, the earnings of the corporations during the said period of five years may be consolidated with due allowance for minority interests, if any, and in that event the interest requirements of the corporations shall be consolidated and such consolidated earnings and consolidated interest requirements shall be taken as the earnings and interest requirements of the corporation; and for the purpose of this subclause earnings shall mean earnings available to meet interest charges on indebtedness other than indebtedness classified as a current liability;

preferred  
shares

(j) the preferred shares of a corporation that has paid,

(i) a dividend in each of the five years immediately preceding the date of investment at least equal to the specified annual rate upon all of its preferred shares, or

(ii) a dividend in each year of a period of five years ended less than one year before the date of investment upon its common shares of at least 4 per cent of the average value at which the shares were carried in the capital stock account of the corporation during the year in which the dividend was paid;

common  
shares

(k) the fully paid common shares of a corporation that, in each year of a period of seven years ended less than one year before the date of investment, has paid a dividend upon its common shares of at least 4 per cent of the average value at which the shares were carried in the capital stock account of the corporation during the year in which the dividend was paid;

real estate  
mortgages

(l) ground rents, mortgages or hypothecs on real estate in Canada or elsewhere where the insurer is carrying on business, but the amount paid for the mortgage or hypothec together

with

with the amount of indebtedness under any mortgage or hypothec on the real estate ranking superior to the mortgage or hypothec in which the investment is made shall not exceed 60 per cent of the value of the real estate covered thereby;

- (m) mortgages or hypothecs on real estate or <sup>guaranteed or insured</sup> leaseholds in Canada or elsewhere where the <sup>real estate</sup> insurer is carrying on business or bonds or <sup>mortgages</sup> notes secured by such mortgages or hypothecs, notwithstanding that the mortgage or hypothec exceeds the amount which the insurer is otherwise authorized to invest, if the excess is guaranteed or insured by the government or through an agency of the government of the country in which the real estate or leasehold is situated or of a province or state of that country; or
- (n) real estate or leaseholds for the production <sup>real estate</sup> of income in Canada or elsewhere where the <sup>for the pro-</sup> insurer is carrying on business, either alone <sup>duction of</sup> or jointly with any other insurer, if <sup>income</sup>

- (i) a lease of the real estate or leasehold is made to, or guaranteed by, a corporation that has met the dividend requirements specified in subclause i of clause i,
- (ii) the lease provides for a net revenue sufficient to yield a reasonable interest return during the period of the lease and to repay at least 85 per cent of the amount invested by the insurer in the real estate or leasehold within the period of the lease but not exceeding thirty years from the date of investment, and
- (iii) the total investment of an insurer in any one parcel of real estate or in any one leasehold does not exceed one-half of 1 per cent of the book value of the total assets of the insurer,

and the insurer may hold, maintain, improve, lease, sell or otherwise deal with or dispose of the real estate or leasehold,

and may lend its funds or any portion thereof on the <sup>Lending</sup> security of, <sup>funds:</sup>

(o)



authorized  
securities

- (o) any of the bonds, debentures or other evidences of indebtedness, shares or other securities in which the insurer may invest its funds under this subsection, but the amount of the loan together with the amount invested therein, if any, shall not exceed in the aggregate the amount that might be invested therein under this section;

real estate  
mortgages

- (p) real estate or leaseholds for a term of years or other estate or interest in real estate in Canada or elsewhere where the insurer is carrying on business, but the amount of the loan together with the amount of indebtedness under any mortgage or hypothec on the real estate or interest therein ranking superior to the loan shall not exceed 60 per cent of the value of the real estate or interest therein, subject to the exception that an insurer may accept as part payment for real estate sold by it a mortgage or hypothec for more than 60 per cent of the sale price of the real estate; or

guaranteed  
or insured  
real estate  
mortgages

- (q) real estate or leaseholds in Canada or elsewhere where the insurer is carrying on business, notwithstanding that the loan exceeds the amount that the insurer is otherwise authorized to lend, if, to the extent of the excess, the mortgage or hypothec thereon securing the loan is guaranteed or insured by the government or through an agency of the government of the country in which the real estate or leasehold is situated or of a province or state of that country.

Securities  
received on  
reorganiza-  
tion or  
amalgama-  
tion

- (2) Where an insurer owns securities of a corporation and where as a result of a *bona fide* arrangement for the reorganization of the corporation or for the amalgamation of the corporation with another corporation such securities are to be exchanged for bonds, debentures or other evidences of indebtedness or shares not eligible as investments under subsection 1, the insurer may accept such bonds, debentures or other evidences of indebtedness or shares but they shall be allowed as an asset of the insurer, in the annual report prepared by the Superintendent for the Minister, only for a period of five years after their acceptance, or such further period as the Lieutenant-Governor in Council may determine, unless it is shown to the satisfaction of the Lieutenant-

Governor



Governor in Council that such bonds, debentures or other evidences of indebtedness or shares are not inferior in status or value to the securities for which they have been substituted or unless they become eligible as investments under subsection 1.

- (3) A joint stock insurance company or a cash-mutual insurance corporation may make investments, or loans not authorized by subsection 1, including investments in real estate or leaseholds, subject to the following:
- (a) Investments in real estate or leaseholds pursuant to this subsection shall be made only for the production of income, and may be made by the insurer in Canada or elsewhere where the insurer is carrying on business, either alone or jointly with any other insurer, and the insurer may hold, maintain, improve, develop, repair, lease, sell or otherwise deal with or dispose of such real estate or leaseholds, but the total investment of an insurer pursuant to this subsection in any one parcel of real estate or in any one leasehold shall not exceed one-half of 1 per cent of the book value of the total assets of the insurer. Other assets:  
real estate for the production of income
  - (b) This subsection shall be deemed not to enlarge the authority conferred by subsection 1 to invest in mortgages or hypothecs and to lend on the security of real estate or leaseholds. exceptions
  - (c) The total book value of the investments and loans made under this subsection and held by the insurer, excluding those that are or at any time since acquisition have been eligible apart from this subsection, shall not exceed 3 per cent of the book value of the total assets of the insurer. limitation
- (4) An insurer licensed to transact the business of life insurance may invest or lend its life insurance funds or any portion thereof in the purchase of or on the security of policies of life insurance issued by the insurer or by any other insurer licensed to transact the business of life insurance in Ontario. Life insurance policies
- (5) Notwithstanding anything in this Act or in any other Act, an insurer incorporated under the law of Ontario, National Housing Acts

(a)

1938, c. 49  
(Can.);  
1944-5, c. 46  
(Can.)

Rev. Stat.,  
c. 174

(a) may lend its funds, or any portion thereof, on the security of real estate pursuant to *The National Housing Act, 1938* (Canada) or *The National Housing Act, 1944* (Canada) or any amendments thereto, or may make loans on the security of real estate or leaseholds or other estate or interest therein in excess of 60 per cent of the value of the real estate or interest therein which forms the security for such loan or in excess of the amount which may be loaned in accordance with *The National Housing Act, 1944* (Canada) or any amendments thereto, where the amount of the excess is guaranteed by the Lieutenant-Governor in Council or by a municipality under *The Housing Development Act*;

(b) may, if it is incorporated for the purpose of undertaking life insurance, cause to be formed, or may join with one or more life insurance corporations in forming one or more institutional holding companies and one or more institutional housing corporations as defined in *The National Housing Act, 1944* (Canada), and may invest its funds in shares or debentures of such holding companies and in shares of such housing corporations to an aggregate amount which, when added to the aggregate amount invested by such insurer under clause c, does not exceed 5 per cent of its total assets in Canada allowed by the Superintendent; and

(c) may, if it is incorporated for the purpose of undertaking life insurance, invest its funds to an aggregate amount not exceeding 5 per cent of its total assets in Canada allowed by the Superintendent in any other classes or types of investment pursuant to *The National Housing Act, 1944* (Canada) or any amendments thereto, including the purchase of land, the improvement thereof, construction of buildings thereon, and the management and disposal of such land and buildings.

Limitation  
of invest-  
ment in  
common  
shares

(6) The total book value of the investments of an insurer in common shares shall not exceed 15 per cent of the book value of the total assets of the insurer.

Limitation  
in invest-  
ment in  
real estate  
for the  
production  
of income

(7) The total book value of the investments of a joint stock insurance company or a cash-mutual insurance

corporation

corporation in real estate or leaseholds for the production of income pursuant to this section shall not exceed 5 per cent of the book value of the total assets of the insurer.

- (8) An insurer shall not invest any of its funds in bonds, debentures or other evidences of indebtedness on which payment of principal or interest is in default. No investment in securities in default
- (9) All investments and deposits of the funds of any insurer shall be made in its corporate name, and no director or other officer thereof and no member of a committee having any authority in the investment or disposition of its funds shall accept or be the beneficiary of, either directly or indirectly, any fee, brokerage, commission, gift or other consideration for or on account of any loan, deposit, purchase, sale, payment or exchange made by or in behalf of such insurer, or be pecuniarily interested in any such purchase, sale or loan, either as borrower, principal, co-principal, agent or beneficiary, except that if he is a policyholder he shall be entitled to all the benefits accruing under the terms of his contract. Investments in corporate name only
- (10) No insurer shall, Prohibitions and restrictions
- (a) invest in or loan its funds upon the security of its own shares or the shares of any company transacting the business of insurance; or
  - (b) except as to securities of or guaranteed by the Government of Canada, or the government of any province of Canada, or a municipal corporation in Canada, invest money in any one security or make a total investment in any one corporation including the purchase of its shares or other securities, the lending to it on the security of its debentures, mortgages or other assets or any part thereof, of more than 10 per cent of its funds; or
  - (c) except as to securities of or guaranteed by the Government of Canada, or the government of any province of Canada, or a municipal corporation in Canada, make any investment the effect of which will be that such insurer will hold more than 10 per cent of the total issue of shares of any one company; or
  - (d) lend any of its funds to any director or officer thereof or to the wife or any child of such

such director or officer except, in the case of an insurer undertaking contracts of life insurance, on the security of its own policies; nor shall an insurer lend any of its funds to a company if more than one-half of the shares of the capital stock of the company are owned by a director or officer of the insurer or the wife or a child of a director or officer, or by any combination of such persons; or

- (e) subscribe to or participate in or employ the funds of the insurer in any underwriting for the purchase or sale of securities or property of any kind, nor shall any director or officer, except for the *bona fide* purpose of protecting investments already made by the insurer, enter into any transaction for such purchase or sale on account of such insurer, jointly with any other person, firm or corporation, but this clause shall not be deemed to prohibit the subscription for bonds or securities permitted by this section as a *bona fide* permanent investment on behalf of any such insurer.

Interest  
in forming  
other  
companies

- (11) Except for the *bona fide* purpose of protecting investments previously made by it, and subject to the approval of the Lieutenant-Governor in Council, no insurer shall, nor shall its directors or officers or any of them on its behalf, under colour of an investment of the insurer's funds, directly or indirectly be employed, concerned or interested in the formation or promotion of any other corporation, but nothing in this subsection shall be deemed to prohibit insurers investing their funds in securities of a new corporation as provided in subsection 1.

Additional  
security to  
secure re-  
payment of  
liabilities

- (12) Any insurer may take any additional securities of any nature to further secure repayment of any liability thereto, or to further secure the sufficiency of any of the securities in or upon which such insurer is by this section authorized to invest or lend any of its funds.

By-laws to  
prevail

- (13) Where the constitution, by-laws or rules of an insurer prescribe the securities in which its funds may be invested, nothing in this section shall enlarge the power of investment.

Disposal of  
unauthorized  
investments

- (14) The Superintendent may request any insurer to dispose of and realize any of its investments acquired

after

after the 1st day of May, 1928, and not authorized by this section, and such insurer shall within sixty days after receiving such request absolutely dispose of and realize such investments, and if the amount realized therefrom falls below the amount paid by such insurer for such investments the directors of the insurer shall be jointly and severally liable for the payment to such insurer of the amount of the deficiency, but if any director present when any such investment is authorized, forthwith, or if any director then absent, within twenty-four hours after he becomes aware of such investment and is able to do so, enters on the minutes of the board of directors his protest against such investment, and, within eight days thereafter, gives notice of his protest by registered letter to the Superintendent, such director shall thereby and not otherwise exonerate himself from such liability.

- (15) In subsection 1, except in clause *n* thereof, "insurer" <sup>Interpreta-  
tion</sup> shall be deemed to mean only joint stock insurance companies, fraternal societies, mutual insurance corporations with guarantee capital stock, and cash-mutual insurance corporations, and in clause *n* of subsection 1 "insurer" shall be deemed to mean only joint stock insurance companies and cash-mutual insurance corporations.

299. Insurers, other than those mentioned in subsection <sup>Other  
insurers</sup> 15 of section 298, may invest their funds in any <sup>Rev. Stat.,  
c. 400</sup> securities in which, under *The Trustee Act*, trustees may invest trust funds.

4. This Act may be cited as *The Companies Amendment* <sup>Short title</sup> *Act, 1952*.





## CHAPTER 11

**An Act to amend The Conservation Authorities Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Conservation Authorities Act* is amended by relettering clause *a* as clause *aa* and by adding thereto the following clause: Rev. Stat.,  
c. 62, s. 1,  
amended

- (a) "administration costs" means salaries and travelling expenses of members and employees of the authority; office rent, maintenance and purchase of office equipment; purchase and maintenance of equipment for conservation work such as earth-moving machinery and tree-planting machines; expenses connected with exhibits, visual equipment, printed matter for educational purposes; assistance for farm planning, farm ponds, the investigation of reforestation lands and the securing of options, and other conservation projects; the preliminary investigations and engineering of proposed schemes; and all expenditures necessary for carrying out the conservation work of the authority other than capital expenses and maintenance of approved schemes.

**2.** Section 4 of *The Conservation Authorities Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 62, s. 4,  
amended

- (1a) Where a city, town or village is only partly within the watershed, the Lieutenant-Governor in Council may include the whole or that part of the city, town or village in the area over which the authority shall have jurisdiction. Urban  
municipalities

**3.** *The Conservation Authorities Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 62,  
amended

- 7a. Where a new municipality is erected within or partly within the area over which an authority has jurisdiction, New  
municipalities
- diction,

diction, the Lieutenant-Governor in Council may designate the municipality as a participating municipality.

Rev. Stat.,  
c. 62, s. 8,  
subs. 1,  
amended

4. Subsection 1 of section 8 of *The Conservation Authorities Act* is amended by adding at the end thereof the words "and each member shall hold office until the first meeting of the authority after his appointment is terminated", so that the subsection shall read as follows:

Members of  
authority

- (1) Members of an authority shall be appointed by the respective councils of the participating municipalities in the numbers prescribed by subsection 2 of section 3 for the appointment of representatives and shall hold office during the pleasure of the respective councils, and each member shall hold office until the first meeting of the authority after his appointment is terminated.

Rev. Stat.,  
c. 62, s. 14,  
amended

5. Section 14 of *The Conservation Authorities Act* is amended by adding at the end thereof the words "and shall obtain the approval of the Ontario Municipal Board", so that the section shall read as follows:

Filing  
of plans

14. Before proceeding with a scheme an authority shall file plans and a description thereof with and obtain the approval in writing of the Minister of Lands and Forests, the Minister of Planning and Development and the Minister of Public Works, and shall obtain the approval of the Ontario Municipal Board.

Rev. Stat.,  
c. 62, s. 17,  
repealed

6. Section 17 of *The Conservation Authorities Act* is repealed.

Rev. Stat.,  
c. 62, s. 22,  
subss. 3-9,  
re-enacted

7. Subsections 3 to 9 of section 22 of *The Conservation Authorities Act* are repealed and the following substituted therefor:

Compensa-  
tion

- (3) Upon the expiration of the time indicated in the notice, an advisory board shall consider and determine the amount of compensation which in its opinion should be payable.

Filing of  
statement

- (4) The advisory board shall make such inquiries and inspection and secure such advice as it thinks desirable and shall file with the authority a statement of the amount of compensation it considers should be payable, together with written reasons for its finding, and the statement and reasons shall be signed by each member of the advisory board.

- (5) Within one month of the filing of the statement and reasons, the authority shall cause a copy thereof to be sent by registered mail to the person claiming compensation. Notice to claimant
- (6) If within one month of the mailing of the copy under subsection 5 the claimant does not serve the authority and the Ontario Municipal Board with a notice of dissatisfaction in accordance with subsection 7, the authority may pay to the claimant the amount recommended by the advisory board, and thereafter no further claim shall be made against the authority in respect of the expropriation of the land. Where no request for determination by Municipal Board
- (7) Any person who is dissatisfied with the amount of compensation recommended by the advisory board may, within one month of the mailing of the copy of the statement and reasons, notify the authority and the secretary of the Ontario Municipal Board in writing by registered mail that he is dissatisfied and desires that the compensation payable be determined by the Ontario Municipal Board. Notice of dissatisfaction
- (8) Upon receipt of a notice of dissatisfaction, the authority shall forward to the secretary of the Ontario Municipal Board a true copy of the statement and written reasons of the advisory board and a copy of the plan and description certified by the chief officer. Notification to Municipal Board
- (9) Upon receipt of a notice of dissatisfaction under this section, the secretary of the Ontario Municipal Board shall arrange a time and place for the determination of the compensation and shall send notice thereof by registered mail to the authority and to the claimant at least fourteen days before the hearing. Notice of hearing
- (10) The Ontario Municipal Board shall have authority to determine the amount of compensation payable and its decision shall be final and shall not be open to appeal except that an appeal shall lie to the Court of Appeal upon a question of jurisdiction or upon a question of law in the manner and under the conditions set out in section 98 of *The Ontario Municipal Board Act*, and that section shall apply *mutatis mutandis*. Power of Municipal Board  
Rev. Stat., c. 62, s. 25, re-enacted

8. Section 25 of *The Conservation Authorities Act* is repealed and the following substituted therefor: Rev. Stat., c. 62, s. 25, re-enacted

Damage to  
lands

25.—(1) Where the carrying out or completion of any scheme injuriously affects any land, the owner of the land may apply in writing to the authority in question for compensation and the application shall contain a statement of the nature of the plaintiff's claim and the amount of compensation claimed.

Report  
of advisory  
board

(2) Upon receipt of an application for compensation under subsection 1, the authority shall direct an advisory board of engineers to investigate the claim and the board shall make such inquiries and inspection and secure such advice as it thinks desirable, and upon the completion of its investigation the advisory board shall report to the authority in writing, signed by each member of the board, whether in its opinion the land of the applicant has been injuriously affected by reason of the carrying out or completion of the scheme, and if damage has been so occasioned, what amount of money the board deems to be reasonable compensation therefor, and the authority shall cause a true copy of the report to be sent to the applicant by registered mail.

Amount of  
compensa-  
tion

(3) In determining what amount of money is fair compensation for damage occasioned, the advisory board and the Ontario Municipal Board shall include in such amount reasonable compensation for such damage as may reasonably be expected to be suffered by the land by reason of the carrying out or completion of the scheme.

Where no  
request for  
determina-  
tion by  
Municipal  
Board

(4) If within one month of the mailing of the copy of the report under subsection 2 the applicant does not serve the authority and the Ontario Municipal Board with a notice of dissatisfaction in accordance with subsection 5, the authority may pay to the applicant the amount deemed by the advisory board to be reasonable compensation, and thereafter no further claim shall be made against the authority in respect of the land.

Notice of  
dissatis-  
faction

(5) Any applicant who is dissatisfied with the report of the advisory board may, within one month of the mailing of the copy of the report, notify the authority and the secretary of the Ontario Municipal Board in writing by registered mail that he is dissatisfied with the report and desires that the question as to whether the land has been injuriously affected, and if so, the compensation therefor, be determined by the Ontario Municipal Board.



(6) Upon receipt of a notice of dissatisfaction, the authority shall forward to the secretary of the Ontario Municipal Board a copy of the report of the advisory board. Copy to be sent to the Municipal Board

(7) Upon receipt of a notice of dissatisfaction under this section, the secretary of the Ontario Municipal Board shall arrange a time and place for the determination of the matter, and shall send notice thereof by registered mail to the authority and the applicant at least fourteen days before the hearing. Notice of hearing

(8) The Ontario Municipal Board shall have authority to determine whether the land has been injuriously affected, and if so, to determine the amount of compensation payable therefor, and its decision shall be final and shall not be open to appeal except that an appeal shall lie to the Court of Appeal upon a question of jurisdiction or upon a question of law, in the manner and under the conditions set out in section 98 of *The Ontario Municipal Board Act*, and that section shall apply *mutatis mutandis*. Power of Municipal Board  
Rev. Stat., c. 262

**9.** Section 35 of *The Conservation Authorities Act* is amended by adding thereto the following subsection: Rev. Stat., c. 62, s. 35, amended

(3a) Subject to subsection 3, an authority may enforce payment against any participating municipality of the portion of the capital cost required to be raised by the municipality as a debt due by the municipality to the authority. Enforcement of payment

**10.** Subsections 1 and 2 of section 36 of *The Conservation Authorities Act* are repealed and the following substituted therefor: Rev. Stat., c. 62, s. 36, subss. 1, 2, re-enacted

(1) For the purposes of paying administration costs and the costs of maintenance of the works included in any scheme, a sum may annually be levied by an authority against each of the participating municipalities. Assessment for administration costs and maintenance

(2) After determining the approximate total cost of administration costs and maintenance for the succeeding calendar year, the authority shall apportion such cost to the participating municipalities according to the benefit derived or to be derived by each such municipality, and the amount apportioned to each municipality shall be levied against each such municipality, and the secretary-treasurer of the authority shall forthwith certify to the clerk of each participating municipality the total amount which

has been so levied, and the clerk of the municipality shall calculate and insert the same in the collector's roll for the current year, and such amount shall be collected in the same manner as municipal taxes for general purposes and paid over to the authority.

Commence-  
ment

**11.** This Act comes into force on the day it receives Royal Assent.

Short title

**12.** This Act may be cited as *The Conservation Authorities Amendment Act, 1952*.

## CHAPTER 12

## An Act to amend The Conveyancing and Law of Property Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 37 of *The Conveyancing and Law of Property Act* is amended by adding thereto the following subsections: Rev. Stat., c. 68, s. 37, amended

- (2) In subsection 1, "court" means Supreme Court or the county or district court of the county or district in which the land or any part thereof is situate. Interpretation
- (3) Where an application under subsection 1 is made to a county or district court, a respondent may, by notice served on the applicant and on the other respondents, if any, and filed with proof of service thereof with the clerk of the county or district court not later than two days preceding the day of return of the application, require the proceedings to be removed into the Supreme Court. Removal of proceedings into Supreme Court
- (4) Upon the filing of the notice and proof of service thereof, the clerk of the county or district court shall forthwith transmit the papers and proceedings to the proper office of the Supreme Court in the county or district in which the application is made. Transmission of proceedings
- (5) When the papers and proceedings are received at the proper office of the Supreme Court, the proceedings shall *ipso facto* be removed into the Supreme Court. Removal of proceedings
- (6) An appeal shall lie to the Court of Appeal from any order made under this section. Appeal

**2.—**(1) Subsection 1 of section 61 of *The Conveyancing and Law of Property Act* is amended by adding at the end thereof the words "or of the judge of the county or district court of the county or district in which the land or any part thereof is situate", so that the subsection shall read as follows: Rev. Stat., c. 68, s. 61, subs. 1, amended

Restrictive  
covenants,  
modification  
or discharge

- (1) Where there is annexed to any land any condition or covenant that such land or any specified portion thereof is not to be built on or is to be or not to be used in a particular manner, or any other condition or covenant running with or capable of being legally annexed to land, any such condition or covenant may be modified or discharged by order of a judge of the Supreme Court or of the judge of the county or district court of the county or district in which the land or any part thereof is situate.

Rev. Stat.,  
c. 68, s. 61,  
amended

- (2) The said section 61 is amended by adding thereto the following subsections:

Removal of  
proceedings  
into  
Supreme  
Court

- (1a) Where an application under subsection 1 is made to the judge of a county or district court, a respondent may, by notice served on the applicant and on the other respondents, if any, and filed with proof of service thereof with the clerk of the county or district court not later than two days preceding the day of return of the application, require the proceedings to be removed into the Supreme Court.

Transmission  
of proceed-  
ings

- (1b) Upon the filing of the notice and proof of service thereof, the clerk of the county or district court shall forthwith transmit the papers and proceedings to the proper office of the Supreme Court in the county or district in which the application is made.

Removal of  
proceedings

- (1c) When the papers and proceedings are received at the proper office of the Supreme Court, the proceedings shall *ipso facto* be removed into the Supreme Court.

Short title

3. This Act may be cited as *The Conveyancing and Law of Property Amendment Act, 1952*.

## CHAPTER 13

**An Act to amend The Corporations Tax Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Corporations Tax Act* is amended by adding thereto the following clauses: Rev. Stat.,  
c. 72, s. 1,  
amended

(bb) "depreciable property of the company" as of any time in a fiscal year means property in respect of which the company has been allowed, or is entitled to, a deduction for depreciation under clause *a* of subsection 4 of section 14 in computing income for that or a previous fiscal year;

(bbb) "disposition of property" includes any transaction or event entitling a company to proceeds of disposition of property;

. . . . .

(ii) "proceeds of disposition" of property includes,

- (i) the sale price of property that has been sold,
- (ii) the compensation for property damaged, destroyed, taken or injuriously affected, either lawfully or unlawfully, or under statutory authority or otherwise,
- (iii) an amount payable under a policy of insurance in respect of loss or destruction of property, and
- (iv) an amount payable under a policy of insurance in respect of damage to property except to the extent that the amount has, within a reasonable time after the damage, been expended on repairing the damage;

(ll)



- (ll) "total depreciation allowed to a company" before any time for property of a prescribed class means the aggregate of all amounts allowed as depreciation to the company in respect of property of that class under clause *a* of subsection 4 of section 14 in computing income for fiscal years before that time;

. . . . .

- (o) "undepreciated capital cost to the company of depreciable property" of a prescribed class as of any time means the capital cost to the company of depreciable property of that class acquired before that time minus the aggregate of,

(i) the total depreciation allowed to the company for property of that class before that time,

(ii) for each disposition before that time of property of the company of that class, the least of,

(A) the proceeds of disposition thereof,

(B) the capital cost to the company thereof, or

(C) the undepreciated capital cost to the company of property of that class immediately before the disposition, and

(iii) each amount by which the undepreciated capital cost to the company of depreciable property of that class as of the end of a previous fiscal year was reduced by virtue of subsection 12*b* of section 14.

Rev. Stat.,  
c. 72, s. 14,  
subs. 4, cl. *f*  
amended

2.—(1) Clause *f* of subsection 4 of section 14 of *The Corporations Tax Act* is amended by striking out the words and letters "clauses *f*, *g* and *j*" in the ninth and tenth lines and inserting in lieu thereof the words and letters "clauses *f*, *g*, *i* and *n*".

Rev. Stat.,  
c. 72, s. 14,  
amended

(2) The said section 14 is amended by adding thereto the following subsections:

Excess of  
proceeds  
over unde-  
preciated  
capital cost

(12*a*) Where depreciable property of a company of a prescribed class has, in a fiscal year, been disposed of and the proceeds of disposition exceed the undepreciated capital cost to the company of depreciable

able

able property of that class immediately before the disposition, the lesser of,

- (a) the amount of the excess; or
- (b) the amount that the excess would be if the property had been disposed of for the capital cost thereof to the company,

shall be included in computing the income of the company for the fiscal year.

- (12b) Where one or more amounts are by subsection 12a required to be included in computing the income of the company for a fiscal year in respect of the disposition of depreciable property of a prescribed class and the company has, during the fiscal year but following the dispositions, acquired further depreciable property of that class, notwithstanding subsection 12a and clause o of section 1, the following rules are applicable:

- (a) If the aggregate of the amounts that would, according to the terms of subsection 12a, be included thereunder in computing the income of the company is equal to or exceeds the amount that would, according to the terms of clause o of section 1, be the undepreciated capital cost to the company of depreciable property of that class at the end of the fiscal year before any deduction is made under clause a of subsection 4 for that fiscal year,
  - (i) the amount to be included in computing the income of the company under subsection 12a in respect of dispositions of depreciable property of that class is that aggregate minus the amount that would be that undepreciated capital cost, and
  - (ii) the undepreciated capital cost to the company of depreciable property of that class at the end of the fiscal year is nothing.
- (b) If the aggregate of the amounts that would, according to the terms of subsection 12a, be included thereunder in computing the income of the company is less than the amount that would, according to the terms of clause o

of

of section 1, be the undepreciated capital cost to the company of depreciable property of that class at the end of the fiscal year before any deduction for depreciation is made under clause *a* of subsection 4 for that fiscal year,

(i) no amounts shall be included in computing the income of the company for the fiscal year in respect of depreciable property of that class under subsection 12*a*, and

(ii) the undepreciated capital cost to the company of depreciable property of that class at the end of the year before any deduction is made under clause *a* of subsection 4 for the fiscal year is the amount that it would be according to the terms of clause *o* of section 1 minus that aggregate.

Depreciable  
property  
being  
transferred

(12*c*) Where depreciable property did, at any time after the commencement of the fiscal year ending in 1949, belong to one person, hereinafter referred to as the original owner, and has, by one or more transactions between persons not dealing at arms-length, become vested in the company, the following rules are, notwithstanding subsections 7, 8, 9 and 10, applicable for the purposes of subsections 12*a*, 12*b*, 12*c*, 12*d*, 12*e*, 12*f* and clause *a* of subsection 4:

(*a*) The capital cost of the property to the company shall be deemed to be the amount that was the capital cost of the property to the original owner.

(*b*) Where the capital cost of the property to the original owner exceeds the actual capital cost of the property to the company, the excess shall be deemed to have been allowed to the company in respect of the property under clause *a* of subsection 4 in computing income for fiscal years before the acquisition thereof by the company.

Farming  
or fishing

(12*d*) Subsection 12*a* does not apply in determining the income of a company for a fiscal year from farming or fishing unless the company has elected to take a deduction for depreciation for that or a previous fiscal year under clause *a* of subsection 4 on the

basis

basis provided for all other companies and not that provided solely for an allowance for depreciation in computing income from farming or fishing.

- (12e) Notwithstanding subsection 12*d*, where a deduction has been taken under *The Canadian Vessel Construction Assistance Act* (Canada) for any fiscal year, subsection 12*a* is applicable in respect of the prescribed class created by that Act. Application under 1949 (2nd Sess.), c. 11 (Can.)

- (12f) For the purpose of subsections 12*a*, 12*b*, 12*c*, 12*d*, 12*e* and clause *a* of subsection 4, the following rules apply: Rules

- (a) Where a company, having acquired property for the purpose of gaining or producing income therefrom or for the purpose of gaining or producing income from a business, has commenced at a later time to use it for some other purpose, the company shall be deemed to have disposed of it at that later time at its fair market value at that time.
- (b) Where a company, having acquired property for some other purpose, has commenced at a later time to use it for the purpose of gaining or producing income therefrom, or for the purpose of gaining or producing income from a business, the company shall be deemed to have acquired it at that later time at its fair market value at that time.
- (c) Where a company has acquired property by gift, bequest or devise, the capital cost to the company shall be deemed to have been the fair market value thereof at the time the company so acquired it.
- (d) Where a company has given property away, the company shall be deemed to have disposed of it at the time of the gift at its fair market value at that time.
- (e) Where property has, since it was acquired by a company, been regularly used in part for the purpose of gaining or producing income therefrom or for the purpose of gaining or producing income from a business and in part for some other purpose, the company shall be deemed to have acquired, for the purpose of gaining or producing income, the

proportion

proportion of the property that the use regularly made of the property for gaining or producing income is of the whole use regularly made of the property at a capital cost to the company equal to the same proportion of the capital cost to the company of the whole property; and, if the property has, in such a case, been disposed of, the proceeds of disposition of the proportion of the property deemed to have been acquired for gaining or producing income shall be deemed to be the same proportion of the proceeds of disposition of the whole property.

- (f) Where, at any time after a company has acquired property, there has been a change in the relation between the use made by the company of the property for gaining or producing income and the use made of the property for other purposes, the property shall, for the purpose of clause *e*, be deemed to have been disposed of at that time by the company at its fair market value at that time and to have been re-acquired at the same time at a capital cost equal to the same amount.
- (g) Where an amount can reasonably be regarded as being in part the consideration for disposition of depreciable property of a company of a prescribed class and as being in part consideration for something else, the part of the amount that can be reasonably so regarded shall be deemed to be the proceeds of disposition of the depreciable property of that class irrespective of the form or legal effect of the contract or agreement.
- (h) Where a company has received or is entitled to receive a grant, subsidy or other assistance from a government, municipality or other public authority in respect of or for the acquisition of property, the capital cost of the property shall be deemed to be the capital cost thereof to the company minus the amount of the grant, subsidy or other assistance.

. . . . .

*Idem*

- (15) Where under subsection 14 a company is unable to furnish evidence of having paid tax in respect of

net



net income to the government of a province, state or country outside Ontario because such province, state or country imposes no tax calculated on net income, the Treasurer may deem such a tax to have been so paid under subsection 13 of an amount not exceeding the amount that would be payable to such province, state or country if a tax at the rate provided from time to time in establishing a tax credit with respect to net income of the company attributable to Ontario by *The Income Tax Act* <sup>1947-8,</sup> c. 52 (Can.) (Canada) were applicable to the portion of the net income of the company attributable to such province, state or country, calculated in the same manner as the portion of such net income attributable to Ontario is calculated for purposes of the establishment of the amount of the tax credit under *The Income Tax Act* (Canada).

- (16) Subsection 15 applies only where the company <sup>Application of subs. 15</sup> furnishes evidence satisfactory to the Treasurer that during the fiscal year it maintained a permanent establishment in the province, state or country mentioned in that subsection.

- (17) In subsection 16, "permanent establishment" means <sup>Interpre-</sup> a fixed place of business of a company and an office <sup>tation</sup> of an employee or agent of the company who has general authority to contract for his employer or principal or who has a stock of merchandise from which he regularly fills orders that he receives.

**3.** *The Corporations Tax Act* is amended by adding thereto <sup>Rev. Stat.,</sup> the following section: <sup>c. 72,</sup> amended

- 14a.—(1) Where a company has acquired depreciable <sup>Transitional provisions respecting depreciation</sup> property before the commencement of its fiscal year ending in the year 1949, the following rules are applicable for the purpose of subsections 12a, 12b, 12c, 12d, 12e and 12f of section 14 and of allowances for depreciation made under clause a of subsection 4 of that section:

- (a) All such property shall be deemed to have been acquired at the commencement of that fiscal year at a capital cost equal to,

- (i) the actual capital cost, or the capital cost as it is deemed to be by subsection 2 or 3, of such of the said property as the company had at the commencement of that year,

minus

minus the aggregate of,

- (ii) the total amount of the depreciation for such of the said property as the company had at the commencement of that year that, since the commencement of the fiscal year ending in the year 1931, has been or should have been taken into account in accordance with the practice of the Treasurer under clause *a* of subsection 4 of section 14 in ascertaining the income of the company for fiscal years of the company ending in years prior to the year 1949, or in ascertaining the loss of the company for any of such fiscal years for which there was no income, minus the aggregate of,

- (A) all deductions allowed to the company in computing income
  - of the company for the purpose of section 14 as "special depreciation", "extra depreciation" or allowances in lieu of depreciation for property the company had at the commencement of the fiscal year ending in the year 1949, except deductions allowed for depreciation at not more than double the rates normally allowed in respect of plant or equipment of such class or classes as may have been determined by the Treasurer to have been built or acquired in a certain period fixed by the Treasurer, if the company had, in the opinion of the Treasurer, made a new investment by building or acquiring the plant or equipment, and

- (B) one-half of all amounts allowed to the company with respect to depreciation at not more than double the rates normally allowed in respect of plant or equipment of such class or classes as may have been determined by the Treasurer to have been built or acquired in a

certain

certain period fixed by the Treasurer, if the company had, in the opinion of the Treasurer, made a new investment by building or acquiring the plant or equipment, and

- (iii) any accumulated depreciation reserves that the company had at the commencement of the fiscal year ending in the year 1931 and that were recognized by the Treasurer for the purpose of section 14 for property that the company had at the commencement of the fiscal year ending in the year 1949;

(b) the aggregate of,

- (i) all deductions allowed to the company in computing the income of the company for the purpose of section 14 as "special depreciation", "extra depreciation" or allowances in lieu of depreciation for property the company had at the commencement of the fiscal year ending in the year 1949; except deductions allowed for depreciation at not more than double the rates normally allowed in respect of plant or equipment of such class or classes as may have been determined by the Treasurer to have been built or acquired in a certain period fixed by the Treasurer, if the company had, in the opinion of the Treasurer, made a new investment by building or acquiring the plant or equipment, and
- (ii) one-half of all amounts allowed to the company with respect to depreciation at not more than double the rates normally allowed in respect of plant or equipment of such class or classes as may have been determined by the Treasurer to have been built or acquired in a certain period fixed by the Treasurer, if the company had, in the opinion of the Treasurer, made a new investment by building or acquiring the plant or equipment,

shall

shall be deemed to have been allowed to the company under clause *a* of subsection 4 of section 14 in computing income for fiscal years ending in years prior to the year 1949.

Idem

- (2) Where property did belong to one person, hereinafter referred to as the original owner, and has by one or more transactions prior to fiscal years of companies ending in the year 1949 between persons not dealing at arms-length become vested in a company which had it at the commencement of, or acquired it during, the fiscal year ending in the year 1949, the capital cost of the property to the company shall, for the purpose of clause *a* of subsection 4 of section 14, be deemed to be the lesser of the actual capital cost of the property to the company or the amount by which the capital cost of the property to the original owner exceeds the aggregate of,

(a) the total amount of depreciation for the property that, since the commencement of the fiscal year ending in the year 1931, has or should have been taken into account under clause *a* of subsection 4 of section 14, in accordance with the practice of the Treasurer, in ascertaining the income of the original owner and all intervening owners under section 14, or in ascertaining a loss when there was no income under that section;

(b) any accumulated depreciation reserves that the original owner or an intervening owner had for the property at the commencement of the fiscal year ending in the year 1931 and that were recognized by the Treasurer for the purpose of section 14.

Idem

- (3) Where a company has received or is entitled to receive a grant, subsidy or other assistance from a government, municipality or other public authority in respect of or for the acquisition of property, the capital cost of the property shall, for the purpose of clause *a* of subsection 1, be deemed to be the capital cost thereof to the company minus the amount of the grant, subsidy or other assistance.

Idem

- (4) Reference in this section to depreciation shall be deemed to include a reference to allowances in respect of depreciable property under clause *a* of subsection 4 of section 14 or any predecessor of that clause.

**4.**—(1) Sections 1 and 3 of this Act shall be effective with respect to fiscal years of companies ending in the year 1949 and subsequent fiscal years. <sup>Effective dates of amendments</sup>

(2) Subsections 12*a*, 12*b*, 12*c*, 12*d*, 12*e* and 12*f* of section 14 of *The Corporations Tax Act*, as enacted by subsection 2 of section 2 of this Act, shall be effective with respect to fiscal years of companies ending in the year 1949 and subsequent fiscal years. <sup>Idem Rev. Stat., c. 72</sup>

(3) Subsections 15, 16 and 17 of section 14 of *The Corporations Tax Act*, as enacted by subsection 2 of section 2 of this Act, shall be effective with respect to fiscal years of companies ending in the year 1952 and subsequent fiscal years. <sup>Idem</sup>

**5.** This Act comes into force on the day it receives Royal Assent. <sup>Commencement</sup>

**6.** This Act may be cited as *The Corporations Tax Amendment Act, 1952*. <sup>Short title</sup>





## CHAPTER 14

## An Act to amend The County Courts Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The County Courts Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 75, s. 7,  
re-enacted

7. Except on Saturdays and holidays when they shall be closed, every county court office shall be kept open from 9.30 a.m. until 4.30 p.m. Office hours

2.—(1) Section 12 of *The County Courts Act* is amended by adding thereto the following subsections: Rev. Stat.,  
c. 75, s. 12,  
amended

(1a) In each year the sittings of the county court of the county of Frontenac, Grey, Hastings, Kent, Ontario, Peterborough, Waterloo, and Welland for the trial of issues of fact and assessments of damages shall commence with or without a jury on the first Monday in June and the third Monday in November and without a jury on the first Monday in April and October. Frontenac,  
Grey, Hast-  
ings, Kent,  
Ontario,  
Peter-  
borough,  
Waterloo,  
Welland

. . . . .

(2a) In each year the sittings of the county court of the county of Lincoln for the trial of issues of fact and assessments of damages shall commence with or without a jury on the first Monday in June and the fourth Monday in November and without a jury on the first Monday in April and October. Lincoln

(2) Subsection 3 of the said section 12 is amended by striking out the words "first Monday in June and December" in the fourth line and inserting in lieu thereof the words "second Monday in May and November", so that the subsection shall read as follows: Rev. Stat.,  
c. 75, s. 12,  
subs. 3,  
amended

Middlesex

- (3) In each year the sittings of the county court of the county of Middlesex for the trial of issues of fact and assessments of damages shall commence with or without a jury on the second Monday in May and November and without a jury on the first Monday in April and October.

Rev. Stat.,  
c. 75, s. 12,  
subs. 7,  
re-enacted

- (3) Subsection 7 of the said section 12 is repealed and the following substituted therefor:

Postpone-  
ment of  
sittings

- (7) The judge of a county court may postpone the date of any sittings of the court if the postponement does not in his opinion conflict or interfere with the sittings of the Supreme Court in such county.

Rev. Stat.,  
c. 75, s. 12,  
subs. 8,  
amended

- (4) Subsection 8 of the said section 12 is amended by striking out the words "in every county in the county court district" in the fourth line, so that the subsection shall read as follows:

Notice of  
postpone-  
ment

- (8) Where any such sittings is so postponed, notice of the postponement and of the date upon which such sittings is to commence shall be posted in the office of the county court clerk not later than sixty days before the commencement of the postponed sittings.

Rev. Stat.,  
c. 75, s. 13,  
cl. a,  
amended

- 3.—**(1) Clause *a* of section 13 of *The County Courts Act* is amended by striking out the word "November" in the second line and inserting in lieu thereof the words "the second Monday of December", so that the clause shall read as follows:

- (a) Bracebridge, commencing on the fourth Monday of May and the second Monday of December.

Rev. Stat.,  
c. 75, s. 13,  
cl. h,  
amended

- (2) Clause *h* of the said section 13 is amended by striking out the words "second Tuesday" in the second line and inserting in lieu thereof the words "first Monday", so that the clause shall read as follows:

- (h) Port Arthur, commencing on the first Monday of May and the first Monday of November.

Rev. Stat.,  
c. 75, s. 13,  
cl. i,  
amended

- (3) Clause *i* of the said section 13 is amended by striking out the word "first" in the second line and inserting in lieu thereof the word "last", so that the clause shall read as follows:

- (i) Sault Ste. Marie, commencing on the last Monday of May and the last Tuesday of November.

**4.**—(1) This Act, except section 1, comes into force on the day it receives Royal Assent. <sup>Commence-</sup><sub>ment</sub>

(2) Section 1 comes into force on the 1st day of May, 1952. *Idem*

**5.** This Act may be cited as *The County Courts Amendment Act, 1952*. <sup>Short title</sup>





## CHAPTER 15

**The Crown Timber Act, 1952**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

**Inter-  
pretation**

- (a) "Crown charges" includes all charges and dues in respect of Crown timber, interest, costs, expenses and penalties imposed under this Act or the regulations or by any licence and all other charges, rents and claims of the Crown in connection with any licensed area;
- (b) "Crown timber" means timber on public lands and timber that remains the property of the Crown on lands for which a patent has been issued under *The Public Lands Act* or *The Mining Act*;
- (c) "cull" means a defective log as defined by the manual of scaling instructions;
- (d) "Department" means Department of Lands and Forests;
- (e) "licence" means any document heretofore or hereafter granted that authorizes the cutting of Crown timber;
- (f) "licensed area" means the lands upon which the right to cut Crown timber is authorized by a licence;
- (g) "licensee" means a person to whom a licence has been granted or to whom a licence has been assigned with the consent of the Minister or in whom a licence has become vested by operation of law;
- (h) "mill" means a plant in which logs or wood-bolts are initially processed and includes a saw mill and a pulp mill;

Rev. Stat.,  
cc. 309, 23

(i)

- (i) "Minister" means Minister of Lands and Forests;
- (j) "officer or agent" means any person employed or appointed to assist in the administration of this Act;
- (k) "public lands" means lands vested in Her Majesty in right of Ontario and under the management of the Minister, and includes lands in respect of which a lease, licence of occupation or permit has been granted or issued under *The Public Lands Act*, *The Mining Act* or *The Provincial Parks Act*;
- (l) "unproductive lands" means rock barrens, muskeg and lands covered by water;
- (m) "regulations" means regulations made under this Act. R.S.O. 1950, c. 82, s. 1, *amended*.

Rev. Stat.,  
cc. 309,  
236, 300

#### LICENCES TO CUT CROWN TIMBER

Sale of  
Crown  
timber by  
tender

**2.—(1)** The Minister may offer Crown timber for sale by tender either,

- (a) to the public generally; or
- (b) to any particular class or group of persons who in his opinion are or may be interested in such timber as a source of supply of raw materials for mills in existence at the time the offer is made.

Licences  
to cut Crown  
timber

(2) The Minister may grant a licence to cut such timber to the person making the highest tender therefor for such period as he may deem proper subject to such terms and conditions as may be prescribed by the regulations and subject to such other terms and conditions as he may deem proper and that are not inconsistent with the regulations.

Acceptance  
of tenders

(3) The Minister shall not be obliged to accept the highest tender.

Licences  
expiring  
31st March  
next

(4) Notwithstanding subsection 1, the Minister may grant to a person holding a licence granted under section 2 of *The Crown Timber Act*, being chapter 82 of the Revised Statutes of Ontario, 1950, that expires on the 31st day of March next following the day upon which this Act comes into force a new licence to cut Crown timber on the lands described in the licence so expiring for such period as he may deem proper, subject to such terms and conditions as may be prescribed by the regulations and subject to such other terms and conditions as he may deem proper and that are not inconsistent with the regulations.

(5) If the cutting of the timber in respect of which a licence is granted under this section is not completed during the term of the licence, the Minister may renew the licence for one further term not exceeding three years, subject to such terms and conditions as may be prescribed by the regulations and subject to such other terms and conditions as he may deem proper and that are not inconsistent with the regulations. *New.*

(6) Notwithstanding subsection 1, the Minister may grant licences to cut Crown timber at such rates and subject to such terms and conditions as he may deem proper, if the Crown charges payable for such timber do not exceed \$1,000. R.S.O. 1950, c. 82, s. 2 (1), *amended.*

3.—(1) The Minister, with the approval of the Lieutenant-Governor in Council, may grant licences to cut Crown timber for such periods subject to such terms and conditions as may be prescribed by the regulations and at such prices and subject to such other terms and conditions as the Minister may deem proper and that are not inconsistent with the regulations. R.S.O. 1950, c. 82, s. 6 (1), *part.*

(2) Where a licence to cut Crown timber is granted under subsection 1, the Minister may,

(a) determine from time to time the prices at which species of timber may be cut where the prices for such species are not specifically set out in the licence; and

(b) grant to a licensee from time to time during the term of the licence rights to cut on the licensed area additional species not set out in the licence at such prices and upon such terms and conditions as he may deem proper. R.S.O. 1950, c. 82, s. 6 (3), *amended.*

4.—(1) Where Crown timber in respect of which a licence has not been granted has been killed or damaged, the Minister may grant licences to permit the salvage of such timber and the cutting of any other Crown timber which in his opinion should in the interest of economic forest utilization be cut with such killed or damaged timber at such prices and subject to such terms and conditions as he may deem proper. R.S.O. 1950, c. 82, s. 2 (2), *amended.*

(2) Where Crown timber in respect of which a licence has been granted has been killed or damaged, the Minister may direct the licensee to cut such timber and any other timber which in his opinion should in the interest of economic forest

utilization

utilization be cut with such killed or damaged timber at such prices and subject to such terms and conditions as he may deem proper.

Failure or  
neglect of  
licensee

(3) Where the licensee refuses or neglects to comply with any direction of the Minister under subsection 2 within such time as may be fixed by the Minister, the Minister may cancel or vary the licence in respect of the timber directed to be cut and may grant licences to persons other than the licensee to permit the salvage of such timber and the cutting of any other Crown timber which in his opinion should in the interest of economic forest utilization be cut with such killed or damaged timber at such prices and subject to such terms and conditions as he may deem proper. *New.*

Area to be  
stated

5.—(1) Every licence shall state the total area of the lands comprised therein and the area of the unproductive lands included in such total area.

Unproduc-  
tive lands

(2) Crown charges for fire protection and ground rent shall not be payable in respect of unproductive lands. *New.*

Survey

6. The Minister may at any time cause a survey to be made to establish or re-establish the boundaries of any licensed area and the cost of such survey shall be borne by the licensee or where the boundary in question is a division line between two licensed areas, the cost of such survey shall be borne by the respective licensees in such proportions as the Minister may deem proper. *New.*

Species and  
lands to be  
described

7.—(1) Every licence shall name the species of timber and describe the lands upon which such timber may be cut. R.S.O. 1950, c. 82, s. 4 (1), *part.*

Conflicting  
licences

(2) If a licence is found to comprise a species of timber or lands included in an earlier licence, the later licence shall be void in so far as it conflicts with the earlier licence and the person holding the later licence shall have no claim against the Minister for indemnity or compensation by reason thereof. R.S.O. 1950, c. 82, s. 2 (3), *part.*

Rights of  
licensee in  
area  
limited

8. A licence shall not confer on the licensee any right to the soil or freehold of the licensed area or to the exclusive possession thereof except as may in the opinion of the Minister be necessary for the cutting and removal of the timber thereon and the management of the licensed area and operations incidental thereto. R.S.O. 1950, c. 82, s. 4 (1), *part, amended.*



**9.**—(1) Subject to the payment of Crown charges, the property in all timber of the species set out in a licence and cut during the term of the licence shall vest in the licensee at the time such timber is cut. R.S.O. 1950, c. 82, s. 4 (2), *amended*. Effect of  
licence

(2) Crown charges in respect of all timber of the species set out in the licence cut on a licensed area during the term of the licence shall be paid by the licensee whether the timber is cut by the licensee or by any other person with or without his consent. *New*. Crown  
charges to  
be paid

**10.**—(1) Every licence shall entitle the licensee to seize all timber of the species set out in the licence cut on the licensed area during the term of the licence wherever the same may be found in the possession of any person not entitled thereto and to maintain an action against any person wrongfully cutting or damaging or having wrongful possession of such timber. R.S.O. 1950, c. 82, s. 4 (3), *amended*. Rights of  
licensee in  
his timber

(2) All proceedings pending at the expiration of any licence may be continued to final termination as if such licence had not expired. R.S.O. 1950, c. 82, s. 4 (4). Continua-  
tion of  
proceed-  
ings

**11.**—(1) A licence shall not confer any right to cut Crown timber on lands for which at the time the licence is granted a patent, lease, licence of occupation or permit has been issued, unless the right to so cut is expressly granted by the licence. Timber on  
patented  
lands

(2) A licence shall not confer any right to cut Crown timber on unpatented lands which at the time the licence is granted have been located or sold under *The Public Lands Act*. R.S.O. 1950, c. 82, s. 4 (5), *amended*. No rights  
to cut on  
located or  
sold lands

**12.** No licensee shall commence cutting operations in any year until the Minister has approved in writing the area in which the cutting operations are to be carried on in that year. *New*. Commence-  
ment of  
cutting  
operations

**13.**—(1) Every licence shall be subject to the condition that all timber cut thereunder, except timber that is used in Canada in an unmanufactured state for fuel, building or other purposes, shall, except as provided in subsection 2, be manufactured in Canada into ties, poles, pit props, lumber, veneer or such like products or into pulp. R.S.O. 1950, c. 82, s. 7, *amended*. Timber to be  
manufac-  
tured in  
Canada

(2) The Lieutenant-Governor in Council, after giving thirty days notice of his intention so to do by publication in *The* Power to  
suspend  
operation of  
subs. 1

*Ontario Gazette*, may suspend the operation of subsection 1 as to any kind or class of timber that he may designate for such period as he may deem proper and as to any area that he may define. R.S.O. 1950, c. 82, s. 8, *amended*.

Assignment,  
etc., of  
licences

**14.**—(1) A licence shall not be assigned, pledged or charged without the consent in writing of the Minister and permission to cut timber on a licensed area shall not be granted by a licensee without the consent in writing of the Minister, and he shall not under any circumstances be bound to give such consent and he may impose such terms and conditions as he may deem proper.

Consent of  
Minister

(2) An assignment, pledge or charge of a licence or permission to cut on a licensed area shall not have any force or validity unless the Minister has consented thereto in writing. *New*.

Records

**15.** Every licensee shall keep in connection with every cutting operation such records relating to the quantity of timber cut as may be required by the Minister and such records shall be open at all times to the inspection of any officer or agent and shall at the end of each cutting season be verified by the oath of the person who made the entries therein or by the licensee and shall be delivered to an officer or agent. R.S.O. 1950, c. 82, s. 19, *amended*.

Additional  
powers

**16.** Notwithstanding the granting of a licence, the Minister may,

(a) subject to the provisions of this Act, dispose of any Crown timber not expressly mentioned in such licence; and

(b) after thirty days written notice to the licensee specifying the action proposed to be taken and giving the licensee an opportunity to be heard, sell, lease, grant or otherwise dispose of any public lands included in a licensed area for any purpose for which public lands may be disposed of under *The Public Lands Act*, and upon such sale, lease or grant being made all rights of the licensee in respect of the timber on such lands shall cease. R.S.O. 1950, c. 82, s. 31, *amended*.

Rev. Stat.,  
c. 309

#### LIEN FOR CROWN CHARGES AND SEIZURE OF TIMBER

Lien for  
Crown  
charges

**17.** All Crown charges shall be a lien and charge upon timber cut under the authority of a licence and upon any product manufactured from such timber in preference and priority



priority to any and all other fees, charges, liens or claims whatsoever. R.S.O. 1950, c. 82, s. 32, *amended*.

**18.—(1)** Any officer or agent may seize and detain any timber and any product manufactured from such timber, Seizure of timber and products

- (a) where the person for the time being in possession or control of such timber or product refuses or fails to inform the officer or agent of the name and address of the person from whom such timber or product was received or of any fact within his knowledge respecting such timber or product; or
- (b) where the officer or agent believes on reasonable grounds that such timber or the timber from which such product was manufactured has not been measured or counted by a scaler as required by this Act; or
- (c) where the officer or agent believes on reasonable grounds that any Crown charges in respect of such timber or on the timber from which such product was manufactured or in respect of the lands on which such timber was cut are in default; or
- (d) where the officer or agent believes on reasonable grounds that such timber or the timber from which such product was manufactured was not cut under the authority of a licence. R.S.O. 1950, c. 82, s. 26, *part, amended*.

(2) Any timber or product that is seized under subsection 1 may be removed to such place as the officer or agent may deem proper for the protection of the timber or product and if it is seized when in possession of a carrier it shall be removed by the carrier on behalf of the Minister to such place as the officer or agent may direct, provided that, Removal of seized timber and products

- (a) the Minister shall be liable for transportation and all other proper charges incurred in consequence of the directions given by the officer or agent; and
- (b) such seizure shall not prejudice or affect any lien to which the carrier may be entitled in respect of the timber or product up to the time of such seizure. *New.*

(3) Where timber liable to seizure under this section has been made up with other timber into a crib, dam or raft, Timber mixed with other timber or in any other manner has been so mixed at a mill or else-

where,

where, as to render it impractical or difficult to distinguish such timber from other timber with which it is mixed, the whole of the timber so mixed may be seized and detained. R.S.O. 1950, c. 82, s. 24, *amended*.

Forfeiture  
of seized  
timber and  
products

**19.** Where timber or any product manufactured therefrom has been seized and no claim to recover it is made within thirty days from the date of the seizure, such timber or product shall be deemed to be forfeited to and shall become the property of the Crown and may be dealt with in such manner as the Minister may direct. R.S.O. 1950, c. 82, s. 27, *part*.

Notice of  
lien

**20.** Where timber or any product manufactured therefrom is subject to a lien and charge under section 17 and is under seizure or attachment by a sheriff of a bailiff of any court, or is claimed by or is in the possession of any assignee for the benefit of creditors, or any liquidator, or any trustee in bankruptcy, or were such timber or product has been converted into cash which is undistributed, the Minister may give to the sheriff, bailiff, assignee, liquidator or trustee in possession of such timber or product, or cash, notice of the amount due or owing under such lien and charge, and thereupon the sheriff, bailiff, assignee, liquidator or trustee shall pay the amount so due or owing to the Treasurer of Ontario in preference to and in priority over all other fees, charges, liens or claims whatsoever. R.S.O. 1950, c. 82, s. 34, *amended*.

#### PROCEEDINGS FOLLOWING SEIZURE OF TIMBER

Order for  
release from  
seizure

**21.**—(1) Any person claiming to be the owner of timber or any product manufactured therefrom that has been seized under this Act, upon at least four days notice to the Minister, may apply to a judge of the county or district court of the county or district in which such timber or product is held under seizure for an order for its release from seizure and its delivery to him.

Order for  
release and  
delivery to  
claimant

(2) Upon receipt of a bond of the claimant, with two good and sufficient sureties, in an amount not less than the market value of the timber or product and the expenses of the seizure, to be forfeited to the Crown if the claimant is declared by the judge not to be the owner of the timber or product, the judge may order the timber or product to be released from seizure and to be delivered to the claimant.

Order as to  
ownership

(3) Upon the application of the Minister or the claimant, and upon at least seven days notice, the judge shall determine the ownership of the timber or product whether or not it has been released and delivered to the claimant under subsection 2 and shall make an order,

(a) declaring the claimant to be the owner,

(i) free of any claim for Crown charges, or

(ii) subject to payment of such Crown charges and expenses as he may find to be owing; or

(b) declaring the claimant not to be the owner and the bond, if any, forfeited to the Crown.

(4) The judge shall make such order as he may consider proper as to the costs of proceedings under this section and the expenses of seizure. Costs of proceedings

(5) If the claimant is declared not to be the owner of the timber or product, it shall be disposed of in such manner as the Minister may determine. R.S.O. 1950, c. 82, s. 29 (3, 6), *amended*. Disposal

#### FOREST MANAGEMENT

**22.**—(1) Every licensee shall furnish to the Minister within such period as may be fixed by him not exceeding three years from the date of the coming into force of this Act or from the grant of a licence, whichever is the later, Inventory and master plan to be furnished

(a) an estimated inventory of the timber on the licensed area, classifying the timber as to age, species, size and type;

(b) a proposed master plan for managing the licensed area and producing timber therefrom;

(c) a map, which shall form part of the master plan, dividing the licensed area into proposed operational units; and

(d) a statement of the purposes for which the timber is to be utilized. R.S.O. 1950, c. 145, s. 2 (1), *amended*.

(2) The Minister may approve a master plan as submitted to him or may approve it with such alterations therein as he may deem advisable. R.S.O. 1950, c. 145, s. 2 (2). Approval of master plan

(3) Where there is conflict between an approved master plan and a licence, the provisions of the master plan govern. R.S.O. 1950, c. 145, s. 2 (4), *amended*. Master plan to govern

(4) Subject to sections 23 and 24, a licensee who has furnished a master plan shall manage the licensed area Management of area according to plan and

and produce timber therefrom and utilize it in accordance with the plan as approved. R.S.O. 1950, c. 145, s. 2 (3), *amended*.

Information  
to be fur-  
nished  
annually

**23.**—(1) Every licensee shall furnish to the Minister,

- (a) at least sixty days before cutting operations commence in each year, but not later than the 15th day of June, an annual plan for the cutting operations to be conducted by him during the twelve-month period commencing on the 1st day of April in that year; and
- (b) not later than the 31st day of October in each year a map showing the areas cut over during the twelve-month period ending on the 31st day of March of that year together with a statement of the amount, species and size of timber cut from each cutting area during such period. R.S.O. 1950, c. 145, s. 3 (1), *amended*.

Alteration  
in plan

(2) The Minister may approve an annual plan or may approve it with such alterations as he may deem advisable, and where such alterations involve the alteration of an approved master plan, the master plan shall be deemed to be altered accordingly. R.S.O. 1950, c. 145, s. 3 (2), *amended*.

Cutting  
operations

(3) Cutting operations in each year shall be conducted in accordance with the approved annual plan. *New*.

Preserva-  
tion of  
forests,  
etc.

**24.**—(1) Notwithstanding anything contained in any general or special Act or in any regulation or in any licence or in any master plan, the Lieutenant-Governor in Council, having regard to reasonable business requirements of the licensee, may cancel or vary any licence in respect of one or more parts of a licensed area or in respect of any type, size or species of timber designated by him.

*Idem*

(2) Notwithstanding anything contained in any general or special Act or in any regulation or in any licence or in any master plan, the Minister may,

- (a) limit the cutting of the timber included in any licence in respect of the size, age, quality, species, types and distribution thereof as he may deem consistent with the best forestry practices;
- (b) determine the species and quantities of Crown timber that may be cut by any licensee for the manufacture of lumber, pulp, paper or other products; and
- (c) for the purpose of forest management, watershed protection, fire protection, or the preservation of

beauty



beauty of landscape, game preserves or game shelters, direct the marking of trees to be left standing or to be cut in any area designated by him and direct the licensee to pay the cost of such marking. R.S.O. 1950, c. 145, s. 5, *amended*.

(3) Any action by the Lieutenant-Governor in Council <sup>Idem</sup> under subsection 1 or any action by the Minister under subsection 2 in respect of matters other than fire protection shall not affect operations being carried out or to be carried out pursuant to an approved annual plan. *New*.

**25.** No person shall commit wasteful practices in forest operations. R.S.O. 1950, c. 82, s. 18 (1). <sup>Wasteful forest practices forbidden</sup>

**26.** Every licensee shall, when required by the Minister and within the time specified, furnish to him in writing and under oath such information relating to the utilization, transformation or disposal of the timber cut on the licensed area and any products manufactured therefrom as he may require. R.S.O. 1950, c. 146, s. 3, *amended*. <sup>Information to be furnished by licensee</sup>

**27.** Where a licensee fails to comply with or contravenes any provision of sections 22 to 26 or any order of the Minister made thereunder, the Minister may suspend the operation of the licence in whole or in part for a period not exceeding six months. *New*. <sup>Non-compliance with ss. 22-26</sup>

**28.** Where a licensee fails to comply with or contravenes any provision of sections 22 to 26 or any order of the Minister made thereunder, the Lieutenant-Governor in Council may, <sup>Idem</sup>

- (a) suspend the operation of the licence in whole or in part for such period as he may determine; or
- (b) cancel the licence in whole or in part. *New*.

**29.** The form of inventories, plans, maps, statements and reports and the manner in which they are to be verified shall be determined by the Minister. R.S.O. 1950, c. 145, s. 7, *amended*. <sup>Inventories, plans, maps, etc.</sup>

#### SCALERS

**30.—(1)** The Lieutenant-Governor in Council may appoint boards of examiners, each consisting of three skilled persons, any two of whom shall form a quorum, whose duty shall be, <sup>Boards of examiners, appointment and duties</sup>

- (a) to examine and report upon the ability and knowledge of persons desiring to be licensed to measure all classes of timber;
- (b)



(b) to examine and report upon the ability and knowledge of persons desiring to be licensed to measure pulpwood; and

(c) to perform such other duties as may be assigned to them by the Lieutenant-Governor in Council.

Standard  
and method  
of examina-  
tion

(2) The Minister shall determine the standard and method of examination. R.S.O. 1950, c. 84, s. 2, *amended*.

Oath of  
examiners

**31.**—(1) Every examiner, before entering upon his duties, shall take and subscribe an oath in the following form:

I, ....., will act as examiner of scalers to the best of my ability and knowledge, and will conduct the examination without fear, favour or affection and recommend for licences only those persons who have satisfactorily proved their fitness to discharge the duties of measuring all classes of timber. So help me God.

Transmission  
of oaths

(2) The oath shall be transmitted to the Minister. R.S.O. 1950, c. 84, s. 3, *amended*.

Remunera-  
tion of  
examiners.

**32.** The members of boards of examiners shall be paid such remuneration and travelling expenses as may be determined by the Lieutenant-Governor in Council. R.S.O. 1950, c. 84, s. 4, *amended*.

Examina-  
tions

**33.**—(1) Every board of examiners shall sit at such places and on such days as may be determined by the Minister, and shall examine all candidates who present themselves, and at the close of the examination, or as soon after as may be, shall transmit to the Minister the names of such of the candidates as they believe are trustworthy and of good character and who on examination have satisfactorily proved their fitness to discharge the duties of measuring all classes of timber or of measuring pulpwood and whom they recommend as having the requisite skill and knowledge to warrant their being licensed as scalers. R.S.O. 1950, c. 84, s. 5, *amended*.

Examina-  
tion fee

(2) The Minister may determine the amount of the examination fee to be paid by candidates. R.S.O. 1950, c. 84, s. 6 (3), *amended*.

Scalers'  
licences  
issue

**34.**—(1) The Minister may issue a scaler's licence to any person,

(a) who has been recommended by a board of examiners; and

(b) who has taken the oath prescribed by section 36,

and may designate any such licence as a licence to measure all classes of timber or a licence to measure pulpwood.

(2) Every scaler's licence shall expire on the 31st day of <sup>term</sup> March next following the date of the issue thereof.

(3) A scaler's licence may, upon application to the Minister, <sup>renewal</sup> be renewed from time to time either before or after the expiration thereof or of the last renewal, and every renewal shall expire on the 31st day of March next following the date thereof, but where a licence has not been renewed within three years after its expiration or after the expiration of the last renewal, it shall not be further renewed. R.S.O. 1950, c. 84, s. 7, *part, amended*.

**35.** Where a licensed scaler is not available, the Minister <sup>Special permits</sup> may issue a special permit to anyone whose trustworthiness and skill has been established by the affidavits of two responsible persons. R.S.O. 1950, c. 84, s. 9, *part, amended*.

**36.**—(1) Before a scaler's licence or special permit is <sup>Scaler's oath</sup> issued, each applicant shall take an oath in the following form:

I, ....., while acting as a licensed scaler (*or* as holder of a special permit), without fear, favour or affection, and to the best of my judgment and skill, will measure correctly in accordance with the authorized manual of scaling instructions all Crown timber which I may be employed to measure, and make true return of the same to the Department of Lands and Forests or its officer or agent. So help me God.

R.S.O. 1950, c. 84, s. 8 (1), *amended*.

(2) The oath shall be transmitted to the Minister. R.S.O. <sup>Transmission of oaths</sup> 1950, c. 84, s. 8 (2).

**37.** The Minister may authorize a manual of scaling <sup>Manual of scaling instructions authorized</sup> instructions prescribing the method of measuring Crown timber. R.S.O. 1950, c. 84, s. 17, *amended*.

**38.**—(1) It shall be the duty of every licensed scaler or <sup>Duties of scalers</sup> holder of a special permit to measure in accordance with the authorized manual of scaling instructions all Crown timber which he may be employed to measure, making only such deductions as are authorized by the manual, and to enter in a book of record, for the purpose of a return to the Department, the contents of the timber or pulpwood measured by him and the number of logs rejected as culls. R.S.O. 1950, c. 84, s. 10, *amended*.

(2) It shall be the duty of every licensed scaler or holder <sup>Idem</sup> of a special permit to stamp upon every cull the word "cull". R.S.O. 1950, c. 84, s. 11, *amended*.

**39.** All Crown timber shall be measured by a licensed <sup>Where timber to be measured</sup> scaler or a holder of a special permit at the place of cutting

or

or at a concentration point adjacent to the place of cutting, and no such timber shall be manufactured or removed from the place of cutting or from such concentration point before being so measured without the written authority of the Minister. *New.*

Measure-  
ment of  
pulpwood

**40.**—(1) Pulpwood cut in lengths of more than eight feet shall be measured in cubic feet of solid wood and not in stacked cords.

Idem

(2) Pulpwood cut in lengths of eight feet or less may be measured in cubic feet of solid wood or in stacked cords, as the Minister may direct.

Idem

(3) Where a licensee is required or permitted to measure pulpwood in cubic feet of solid wood he shall be entitled to convert 128 cubic feet of stacked wood into 85 cubic feet of solid wood. R.S.O. 1950, c. 82, s. 3 (4), *amended.*

Inspection  
of scalers'  
books

**41.** Every licensed scaler and every holder of a special permit shall submit his books and records of measurements of Crown timber for the inspection of any officer or agent when called upon so to do, and shall furnish all information and statements or copies of statements that the Minister or any officer or agent may require. R.S.O. 1950, c. 84, s. 12, *amended.*

Suspension  
and cancel-  
lation of  
scalers'  
licences and  
permits

**42.** The Minister may suspend or cancel the licence or special permit of any scaler who undermeasures or mismeasures or improperly culls any Crown timber, or makes a false return, or fails to make any return when required. R.S.O. 1950, c. 84, s. 16, *amended.*

#### LICENSING OF MILLS

Licence  
required

**43.**—(1) No person shall construct or operate a mill or increase the productive capacity of a mill or convert an existing mill into a mill of any other type without a licence from the Minister. R.S.O. 1950, c. 234, s. 2, *amended.*

Effect of  
licence

(2) The granting of a licence under subsection 1 shall not imply any obligation on the part of the Minister to make Crown timber available for the mill. *New.*

#### PROVINCIAL FORESTS

Provincial  
forests

**44.** The tracts of land established and known as the Eastern Provincial Forest, the Timagami Provincial Forest, the Mississagi Provincial Forest, the Georgian Bay Provincial Forest, the Nipigon Provincial Forest, the Wanapitei Pro-

vincial

vincial Forest and the Kawartha Provincial Forest shall <sup>Idem</sup> continue to be set apart and known as provincial forests under such names and shall be used primarily for the production of timber. R.S.O. 1950, c. 297, s. 1, *amended*.

#### ADVISORY COMMITTEE

**45.**—(1) There shall be a committee to be known as the <sup>Advisory Committee, composition and appointment</sup> Advisory Committee to the Minister of Lands and Forests, consisting of a chairman and eight other members, each of whom shall be appointed by the Lieutenant-Governor in Council for such term as may be specified in the Order in Council.

(2) Each of the following interests shall be represented on <sup>Interests to be represented</sup> the Committee: the building industry, education, finance, the forest engineers, labour, the lumber industry, the mining industry, the pulp and paper industry and the railways.

(3) The members of the Committee shall be paid such <sup>Remuneration and expenses</sup> remuneration and expenses as may be determined by the Lieutenant-Governor in Council.

(4) The Committee shall have a secretary who shall be <sup>Secretary</sup> a civil servant and who shall perform such other duties as may be assigned to him.

(5) The Committee shall meet monthly or otherwise as may <sup>Meetings</sup> be agreed upon by the Minister and the Committee.

(6) It shall be the duty of the Committee to advise the <sup>Duties</sup> Minister upon forest policy, either generally or in any particular that may be initiated by the Minister or by the Committee, regard being had to the conservation, development and utilization of the forest resources of Ontario. R.S.O. 1950, c. 147, s. 16.

#### PENALTIES

**46.**—(1) Every person who, <sup>Penalties</sup>

- (a) commences cutting operations without the approval of the Minister under section 12 or who carries on any cutting operations beyond the limits of the area approved by the Minister under section 12 shall be liable to a penalty of not less than twice and not more than five times the amount of the Crown charges on the timber so cut;

(b)



- (b) contravenes subsection 1 of section 13 or any order or direction made under section 24, or any regulation made under clause *h* of section 52, shall be liable to a penalty of not less than twice and not more than five times the amount of the Crown charges on the timber in respect of which such contravention occurred;
- (c) except under a licence, cuts or employs or induces or assists any other person to cut Crown timber, or removes or employs or induces or assists any other person to remove Crown timber, shall be liable to a penalty of not less than twice and not more than five times the amount of the Crown charges on the timber in respect of which such contravention occurred;
- (d) contravenes section 39, shall be liable to a penalty of not less than twice and not more than five times the amount of the Crown charges on the timber in respect of which such contravention occurred;
- (e) fails to comply with section 15, shall be liable to a penalty of not less than \$500 and not more than \$5,000;
- (f) when in possession or control of any timber or any product manufactured therefrom, upon request refuses or fails to inform any officer or agent of the name and address of the person from whom such timber or product was received or of any fact within his knowledge respecting such timber, shall be liable to a penalty of not less than \$10 and not more than \$500;
- (g) interferes with any officer or agent who seizes timber under this Act, shall be liable to a penalty of not less than \$100 and not more than \$500;
- (h) removes or attempts to remove or interferes or attempts to interfere with any timber or any product manufactured therefrom after it has been seized under this Act, shall be liable to a penalty of not less than \$100 and not more than \$500;
- (i) makes or avails himself of any false statement or oath with respect to any matter under this Act, shall be liable to a penalty of not less than \$100 and not more than \$500;
- (j)



- (j) contravenes section 43 or any regulation made under clause *m* or *o* of section 52, shall be liable to a penalty of not less than \$500 and not more than \$1,000 for the first contravention and to a penalty of not less than \$1,000 and not more than \$5,000 for each subsequent contravention.

(2) Where in the opinion of the Minister a person is liable to a penalty under subsection 1, he may give notice to such person by registered mail, <sup>Demand for penalty</sup>

- (a) setting out the facts and circumstances that in his opinion render such person liable to a penalty;
- (b) requiring such person to pay such penalty as he may deem proper in the circumstances; and
- (c) specifying the time within which the penalty shall be paid. *New.*

**47.** If a person fails to pay a penalty in accordance with a notice under section 46, the Minister may bring an action for the recovery of such penalty in any court of competent jurisdiction and in such action it shall be the duty of the court, <sup>Right of action</sup>

- (a) to determine whether such person is liable to a penalty under subsection 1 of section 46; and
- (b) if it is determined that the person is liable to a penalty to confirm or vary the amount thereof claimed by the Minister; and
- (c) to give such judgment as it may deem proper; and
- (d) to make such order as to costs or otherwise as it may deem proper. *New.*

#### GENERAL

**48.** The Minister by instrument in writing may authorize the Deputy Minister of Lands and Forests or any officer or agent to exercise such of the powers conferred by this Act upon him as may in his opinion properly be exercised by the Deputy Minister or such officer or agent. *New.* <sup>Powers conferred on Deputy Minister, officers, etc.</sup>

**49.** Everything done by the Minister under the authority of this Act shall be deemed to be of an administrative and not of a legislative nature. *New.* <sup>Acts of Minister deemed administrative</sup>

Regulations re  
Crown  
dues

**50.**—(1) Notwithstanding anything contained in any general or special Act or in any Order in Council or regulation made pursuant thereto or in any licence, the Lieutenant-Governor in Council may make regulations increasing or decreasing the Crown dues payable in respect of any kind or class of timber or increasing or decreasing the annual ground rent and fire protection charge payable in respect of licensed areas, and such regulations may take effect on the 1st day of April immediately preceding or at a subsequent time that may be specified in such regulations.

Price to  
include  
Crown  
dues

(2) Where by the terms of any licence a price is fixed for any kind or class of timber and such price is stated to be inclusive of Crown dues or a price is fixed without reference to Crown dues, such price shall be deemed to be increased or decreased from time to time, as the case may be, by the amount whereby Crown dues may be increased or decreased under subsection 1. R.S.O. 1950, c. 82, s. 3 (1, 2).

Existing  
licences  
and permits

**51.**—(1) Every licence granted under any predecessor of this Act and subsisting when this Act comes into force shall, subject to subsection 2, continue in force in accordance with the terms of such licence.

Application  
of Act and  
regulations

(2) This Act and the regulations apply to every licence heretofore or hereafter granted and where there is any conflict between this Act or the regulations and any licence, this Act and the regulations govern. *New.*

#### REGULATIONS

Regulations

**52.** The Lieutenant-Governor in Council may make regulations,

- (a) prescribing the terms and conditions that shall apply to licences, other than those granted under subsection 6 of section 2 or section 4;
- (b) prescribing terms and conditions in addition to those prescribed under clause *a* that may apply to licences to cut Crown timber within a provincial park;
- (c) fixing the amounts of ground rent, fire protection charges or other charges to be paid in respect of licensed areas, and prescribing the percentages of the productive lands included in a licensed area that shall be subject to ground rent and to fire protection charges;

(d)

- (d) fixing the Crown dues to be paid in respect of each species of timber, other than damaged timber, cut under licence;
- (e) fixing the times at which Crown charges shall be payable and the rate of interest to be charged on overdue accounts;
- (f) fixing the fees to be paid on the transfer of a licence;
- (g) prescribing the manner in which a seizure of timber may be effected under section 18;
- (h) fixing the minimum size of any species of trees that may be cut under licence;
- (i) defining wasteful practices in forest operations and prescribing the penalties that may be imposed for contravention of any such regulation;
- (j) classifying mills and providing for the issue of licences therefor;
- (k) prescribing the form of mill licences and the fees to be paid therefor;
- (l) prescribing the term of mill licences and providing for the transfer, renewal, suspension and cancellation thereof;
- (m) imposing conditions as to the location of mills, the mechanical efficiency thereof and operating methods of mill licensees, including the disposal of waste or refuse;
- (n) providing for the periodical inspection of mills;
- (o) prescribing the returns that mill licensees shall make to the Minister as to their mills and operations, including the sources, species, quantities and disposition of materials processed;
- (p) prescribing the forms of scalers' licences, special permits and renewals and the fees payable in respect thereof;
- (q) prescribing penalties for the contravention of any provision of this Act or the regulations where no penalty has been fixed by this Act;
- (r) governing the cutting of timber before the issue of a patent by a purchaser or locatee of lands for agricultural

cultural purposes under *The Public Lands Act* and prescribing the extent to which and the conditions under which such cutting may be carried on;

- (s) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. *New.*

#### REPEAL

##### Repeal

#### 53. The following Acts are repealed:

Rev. Stat.,  
c. 82

##### 1. *The Crown Timber Act.*

Rev. Stat.,  
c. 84

##### 2. *The Cullers Act.*

Rev. Stat.,  
c. 145

##### 3. *The Forest Management Act.*

Rev. Stat.,  
c. 146

##### 4. *The Forest Resources Regulation Act.*

Rev. Stat.,  
c. 147

##### 5. *The Forestry Act.*

Rev. Stat.,  
c. 234

##### 6. *The Mills Licensing Act.*

Rev. Stat.,  
c. 297

##### 7. *The Provincial Forests Act.*

Rev. Stat.,  
c. 325

##### 8. *The Pulpwood Conservation Act.*

Commence  
ment

#### 54. This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title

#### 55. This Act may be cited as *The Crown Timber Act, 1952.*

CHAPTER 16

**An Act to amend The Custody of Documents Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 4 of *The Custody of Documents Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 85, s. 4,  
amended

(5) The registrar shall copy in full in a proper registry book every document deposited under this Act. Documents  
to be  
copied

**2.** Section 6 of *The Custody of Documents Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 85, s. 6,  
re-enacted

6. The registrar with whom the deposit is made shall be entitled to the following fees to be paid at the time of the deposit by the person making the deposit: Registrar's  
fees

On every requisition.....	\$1.00
On every document deposited.....	.10
For every notice necessary to be sent to other registrars (not more than one notice to any one registrar to be charged for).....	.25
Necessary postage on the notices and acknowledgments. A sum sufficient to pay the fees under subsection 2 of section 5.	
For entering upon the abstract index for each lot in excess of 4 lots.....	.10
For copying document, for each folio.....	.15

**3.** This Act comes into force on the 1st day of May, 1952. Commence-  
ment

**4.** This Act may be cited as *The Custody of Documents Amendment Act, 1952.* Short title





## CHAPTER 17 .

## An Act to amend The Dairy Products Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *d* of section 1 of *The Dairy Products Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 86, s. 1,  
cl. *d*,  
re-enacted

(*d*) “dairy product” means milk, cream, butter, cheese, condensed milk, evaporated milk, milk powder, dry milk, ice cream, malted milk, sherbet, or any other product manufactured wholly or mainly from milk.

(2) Clause *f* of the said section 1 is repealed and the following substituted therefor: Rev. Stat.,  
c. 86, s. 1,  
cl. *f*,  
re-enacted

(*f*) “inspector” means a person appointed as an inspector or instructor or as a fieldman under this Act.

(3) The said section 1 is amended by adding thereto the following clause: Rev. Stat.,  
c. 86, s. 1,  
amended

(*gg*) “milk receiving station” means any building or premises where milk is brought for the purpose of being transported to a plant.

**2.** Section 7 of *The Dairy Products Act* is amended by striking out the words “and instructors” in the second line and inserting in lieu thereof the words “instructors and fieldmen”, so that the section shall read as follows: Rev. Stat.,  
c. 86, s. 7,  
amended

7. The Lieutenant-Governor in Council may appoint a Director of Dairying and such inspectors, instructors and fieldmen as he may deem necessary for the administration of this Act. Director of  
Dairying,  
etc.

**3.** Clause *c* of subsection 1 of section 8 of *The Dairy Products Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 86, s. 8,  
subs. 1, cl. *c*,  
re-enacted

(*c*)

- (c) to examine any records kept with respect to any plant or milk receiving station;
- (d) to examine any statements issued to patrons;
- (e) to inspect any dairy product.

Rev. Stat.,  
c. 86, s. 11,  
cls. b, c,  
re-enacted

4.—(1) Clauses *b* and *c* of section 11 of *The Dairy Products Act* are repealed and the following substituted therefor:

- (b) providing for the licensing of and the issue and renewal of licences, certificates or permits to cheesemakers, buttermakers, milk and cream testers and milk and cream graders, and prescribing the fees payable therefor;
- (bb) providing for the suspension and revocation of licences, certificates and permits, and the terms and conditions therefor;
- (c) prescribing the qualifications required by the holders of licences, certificates and permits.

Rev. Stat.,  
c. 86, s. 11,  
cl. f,  
amended

(2) Clause *f* of the said section 11 is amended by inserting after the word “plants” in the third line the words “and milk receiving stations”, so that the clause shall read as follows:

- (f) providing for the selecting, grading, rejecting, weighing, sampling, testing and pasteurizing of milk and cream brought to plants and milk receiving stations, the manner of payment and the payment of premiums and differentials.

Rev. Stat.,  
c. 86, s. 11,  
cl. o,  
re-enacted

(3) Clause *o* of the said section 11 is repealed and the following substituted therefor:

- (o) prescribing the records to be kept at a plant or milk receiving station and the statements to be issued to patrons;
- (p) respecting the identification and labelling of containers used for transporting milk and cream;
- (q) respecting the identification and labelling of containers used for samples of milk and cream taken for the purpose of making tests;
- (r) providing for the addition of a food colouring to milk and cream rejected at a plant or milk receiving station;

- (s) exempting any plant or milk receiving station or any dairy product from any of the provisions of this Act or the regulations;
- (t) prescribing the standards for and the composition of any dairy product and of any other product that is manufactured and sold in a container or package having a description either by word or design that states or implies that it is a dairy product or has a relation to any dairy product;
- (u) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act.

**5.** This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent.<sub>ment</sub>

**6.** This Act may be cited as *The Dairy Products Amendment* <sup>Short title</sup>  
*Act, 1952.*





## CHAPTER 18

**An Act to amend The Department of  
Education Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clauses *d* and *e* of section 1 of *The Department of Education Act* are repealed and the following substituted therefor: Rev. Stat.,  
c. 94, s. 1,  
cls. *d*, *e*,  
re-enacted

- (*d*) "occasional teacher" means a teacher employed to teach on a daily basis as a substitute for a permanent, probationary or temporary teacher;
- (*e*) "permanent teacher" means a teacher employed on a continuing basis, but does not include a temporary teacher or an occasional teacher;
- (*f*) "probationary teacher" means a teacher employed for a probationary period,
  - (i) of not more than two years for a teacher with less than three years experience before the commencement of the contract, or
  - (ii) of not more than one year for a teacher with three or more years experience before the commencement of the contract,

leading to an appointment as a permanent teacher if his services are satisfactory to the board, but does not include a temporary teacher or an occasional teacher;

- (*g*) "Registrar" means Registrar of the Department;
- (*h*) "regulations" means regulations made by the Minister and approved by the Lieutenant-Governor in Council under this Act;
- (*i*) "temporary teacher" means a teacher employed to teach on a monthly basis for a period not exceeding one year.

Rev. Stat.,  
c. 94, s. 4,  
subs. 1,  
cl. *f*, re-  
enacted;  
cl. *g*,  
repealed.

**2.**—(1) Clauses *f* and *g* of subsection 1 of section 4 of *The Department of Education Act* are repealed and the following substituted therefor:

- (*f*) prescribing the form of contract which shall be used for every contract entered into between a board and a permanent teacher or a probationary teacher for the services of the teacher, and prescribing in the form of contract the terms and conditions of the contract.

Rev. Stat.,  
c. 94, s. 4,  
subs. 1,  
amended

(2) Subsection 1 of the said section 4 is amended by adding thereto the following clause:

- (*jj*) authorizing boards to purchase milk for free distribution to pupils in schools under the jurisdiction of such boards, and prescribing the terms and conditions under which such authority may be exercised.

Commence-  
ment

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Department of Education Amendment Act, 1952*.

## CHAPTER 19

## An Act to amend The Department of Municipal Affairs Act

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *f* of section 1 of *The Department of Municipal Affairs Act* is amended by inserting after the word "affairs" in the fifth line the words "or purposes, including school purposes", so that the clause shall read as follows:

Rev. Stat.,  
c. 96, s. 1,  
cl. *f*,  
amended

(*f*) "municipality" means the corporation of a county, city, town, village, township or improvement district and includes a local board thereof and a board, commission or other local authority exercising any power with respect to municipal affairs or purposes, including school purposes, in an unorganized township or unsurveyed territory.

**2.** Subsection 2 of section 11 of *The Department of Municipal Affairs Act*, as enacted by section 2 of *The Department of Municipal Affairs Amendment Act, 1951*, is repealed.

Rev. Stat.,  
c. 96, s. 11,  
subs. 2  
(1951,  
c. 19, s. 2),  
repealed

**3.** Subsection 4 of section 45 of *The Department of Municipal Affairs Act* is amended by inserting after the word "registry" in the fifth line the words "or land titles", so that the subsection shall read as follows:

Rev. Stat.,  
c. 96, s. 45,  
subs. 4,  
amended

(4) Immediately upon registration of a tax arrears certificate, the treasurer shall cause to be sent by registered mail to the last known address of the assessed owner of the land therein described and to all persons appearing by the records of the registry or land titles office and the sheriff's office to have an interest therein a written notice (Form 2) of the registration of such certificate and of the last day for redemption of the land.

Notice of  
registration  
of cer-  
tificate

Rev. Stat.,  
c. 96, s. 47,  
subs. 1,  
amended

4. Subsection 1 of section 47 of *The Department of Municipal Affairs Act*, as amended by section 3 of *The Department of Municipal Affairs Amendment Act, 1951*, is further amended by inserting after the word "registry" in the second line the words "or land titles", so that the subsection shall read as follows:

Right of  
redemption

- (1) The owner or assessed owner of or any person appearing by the records of the registry or land titles office or the sheriff's office to have an interest in any vacant land or improved land in respect of which a tax arrears certificate has been registered may redeem the land at any time within one year after the date of registration of the certificate by paying to the municipality the amount set forth in such certificate in respect of the land to be redeemed with interest thereon to the day of redemption, together with the amount of all expenses incurred by the municipality and the treasurer in registering the certificates and for searches and postage and \$1 for each certificate and for each notice sent under subsection 4 of section 45, and also by paying to the municipality all taxes including the local improvement rates and the penalties and interest on such taxes and rates that have accrued against the land and that would have accrued against the land if it had remained the property of the former owner and had been liable for ordinary taxation and if the value thereof is not shown upon the assessment roll, such taxes shall be computed at the rate fixed by by-law for each year for which such taxes are payable upon the value placed thereon upon the assessment roll for the last preceding year in which it was assessed and the local improvement rates shall be computed at the rate fixed in the by-law by which the same were rated or imposed and upon the frontage as shown upon the list of properties and the frontages thereof as settled by the court of revision for such local improvement, and a certificate of the treasurer as to the total amount payable in order to redeem the land shall be final and conclusive.

Rev. Stat.,  
c. 96, s. 51,  
amended

5. Section 51 of *The Department of Municipal Affairs Act* is amended by adding thereto the following subsections:

Further  
notice

- (2) Notwithstanding subsection 1, the treasurer may, at any time after the expiration of ten years from the date of registration of the certificate, cause to be sent by registered mail, to each person to whom notice was sent under subsection 4 of section 45, a further notice that if he does not apply for a

conveyance

conveyance of the land under subsection 1 and tender the payment required under subsection 1 within six months of the date the notice is sent, his right to do so will expire.

- (3) If a person notified under subsection 2 does not apply for a conveyance and tender the payment required under subsection 1 within the said six months, his right to do so shall cease to exist.

**6.** This Act comes into force on the day it receives Royal Assent.

**7.** This Act may be cited as *The Department of Municipal Affairs Amendment Act, 1952*.





## CHAPTER 20

**An Act to amend The Dependants' Relief Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 6 of *The Dependants' Relief Act* is repealed and the following substituted therefor: Rev. Stat., c. 101, s. 6, re-enacted
6. Except where inconsistent with this Act, the rules of evidence observed in and the practice and procedure of the surrogate court apply to proceedings under this Act. Practice
2. Section 12 of *The Dependants' Relief Act* is repealed and the following substituted therefor: Rev. Stat., c. 101, s. 12, re-enacted
- 12.—(1) Any party or person taking part in the proceedings may appeal to the Court of Appeal from any order or decision made under this Act. Appeal
- (2) Where the party or person having a right of appeal does not appeal from the order or decision, any person beneficially interested in the estate by leave of a judge of the Court of Appeal may appeal therefrom. Persons interested may appeal
- (3) Any person beneficially interested in the estate by leave of a judge of the Court of Appeal may appear and be heard upon any appeal. Persons interested may be heard
- (4) Every appeal under this Act shall be made by notice of motion served upon all parties interested within thirty days after the date of the order or decision appealed from, and when the circumstances of any case, in the opinion of a judge of the Court of Appeal so warrant, he may permit service to be effected by registered post. Manner and time of appeal

Extension  
of time

- (5) The time limited for appeal may be extended by a judge of the Court of Appeal, either before or after the expiry of the time limit.

Rules of  
court

- (6) The rules of court apply to such appeals.

Short title

- 3.** This Act may be cited as *The Dependants' Relief Amendment Act, 1952*.

## CHAPTER 21

### An Act to amend The Devolution of Estates Act

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 7 of section 12 of *The Devolution of Estates Act* is repealed. Rev. Stat.,  
c. 103, s. 12,  
subs. 7, re-  
pealed
2. Any real property which, but for the provisions of subsection 7 of section 13 of *The Devolution of Estates Act*, being chapter 119 of The Revised Statutes of Ontario, 1914, as enacted by section 22 of *The Statute Law Amendment Act, 1918*, and any re-enactment thereof or any amendment thereto, would have vested in the persons beneficially entitled thereto, shall be deemed to have vested in such persons notwithstanding such provisions. Effect on  
real  
property  
1918, c. 20,  
s. 22
3. This Act comes into force on the day it receives Royal Assent. Commence-  
ment
4. This Act may be cited as *The Devolution of Estates Amendment Act, 1952*. Short title





## CHAPTER 22

## An Act respecting Allowances for Disabled Persons

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "allowance" means allowance under this Act;
- (b) "Director" means Director of the Disabled Persons' Branch of the Department of Public Welfare;
- (c) "disabled person" means a person who is permanently and totally disabled by reason of physical or mental disability, but does not include a person who is receiving compensation under *The Workmen's Compensation Act*, or who is receiving a benefit under *The Mothers' Allowances Act*, or who is receiving an allowance under *The Blind Persons' Allowances Act, 1951*, or who is receiving a pension, allowance or other benefit from the Government of Canada in respect of war service, or who is a patient in a hospital, sanatorium or nursing home, or who resides in an institution under *The Charitable Institutions Act* or *The Homes for the Aged Act* or in any other charitable or public institution;
 

Rev. Stat.,  
cc. 430, 242,  
1951 (2nd  
Sess.), c. 1
- (d) "investigator" means an investigator within the meaning of *The Old Age Assistance Act, 1951*;
 

1951  
(2nd Sess.),  
c. 2
- (e) "local authority" means local authority within the meaning of *The Old Age Assistance Act, 1951*;
- (f) "Minister" means Minister of Public Welfare;
- (g) "recipient" means a person to whom an allowance is granted;
- (h) "regulations" means regulations made under this Act.

To whom  
allowances  
may be paid

**2.** An allowance at a rate of not more than \$40 a month may be paid to a disabled person,

- (a) who is more than eighteen years of age and less than sixty-five years of age;
- (b) who has resided in Ontario for at least ten years immediately prior to the time he applies for an allowance;
- (c) who resides in Ontario at the time he applies for an allowance;
- (d) who continues to reside in Ontario while in receipt of an allowance; and
- (e) who is eligible under and complies with the regulations.

Acting  
director

**3.**—(1) Where the Director is absent or there is a vacancy in the office, the powers and duties of the Director shall be exercised and performed by such civil servant as the Minister may designate.

Director,  
duties

(2) It shall be the duty of the Director,

- (a) to receive applications for allowances;
- (b) to determine the eligibility of each applicant for an allowance, and where the applicant is eligible, to determine the amount thereof and to direct payment accordingly.

decisions

(3) Subject to the right of the Director to rescind or amend any determination or direction made by him under this Act and the regulations, every such determination and direction is final and is not subject to review by any court of law or otherwise.

Allowances  
exempt from  
taxation

**4.**—(1) An allowance is exempt from provincial and municipal taxes.

Allowances  
not assign-  
able

(2) An allowance is not subject to alienation or transfer by the recipient.

Allowances  
not subject  
to seizure

(3) An allowance is not subject to attachment or seizure in satisfaction of any claim against the recipient.

Voting  
rights

**5.** The receipt of an allowance does not by itself constitute a disqualification of the recipient from voting at any provincial or municipal election.

**6.** In the case of a recipient,

When allowance may be paid to trustee

- (a) who, in the opinion of the Director, is using or is likely to use the allowance otherwise than for his own benefit, or is incapable of handling his affairs; or
- (b) who consents to the payment of the allowance to a person who is undertaking or liable for his maintenance and care,

the director may direct that the allowance be paid to a trustee for the benefit of the recipient.

**7.** Allowances and the expenses of the administration of this Act and the regulations are payable out of the moneys appropriated therefor by the Legislature. Funds for purposes of Act

**8.** The Lieutenant-Governor in Council may make regulations, Regulations

- (a) adding further qualifications to those specified in this Act for applicants for allowances;
- (b) adding to the classes excluded under clause *c* of section 1;
- (c) governing the manner of making application for an allowance;
- (d) prescribing the material or proof of any fact, including evidence under oath, that is to be furnished before an allowance is paid;
- (e) fixing the intervals at which and the manner in which allowances are to be paid;
- (f) providing for the suspension and cancellation of allowances;
- (g) providing for the whole or part of the cost of providing medical and dental services to recipients or any class or group thereof;
- (h) prescribing the powers and duties of investigators;
- (i) providing for the payment of the expenses of local authorities and for the payment of their remuneration and prescribing their powers and duties;
- (j) providing for the furnishing of notices and information by local authorities to the Director and by the Director to local authorities;

(k)

- (k) providing for the making of investigations respecting persons to whom allowances may be paid or by whom or on whose behalf application has been made for an allowance or who are in receipt of an allowance;
- (l) establishing an advisory board of one or more persons to assist the Director;
- (m) prescribing forms for use under this Act;
- (n) respecting any other matter necessary or advisable to carry out effectively the purposes of this Act.

Commence-  
ment

**9.** This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title

**10.** This Act may be cited as *The Disabled Persons' Allowances Act, 1952*.

## CHAPTER 23

## An Act to amend The Division Courts Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Division Courts Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 106,  
amended

18a. Except on Saturdays and holidays when they shall Office hours  
 be closed, every division court office shall be kept  
 open from 9.30 a.m. until 4.30 p.m.

2. Section 204 of *The Division Courts Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 106, s. 204,  
amended

(2) Failure to observe any of the provisions of this Act Failure to  
observe  
jury pro-  
visions  
 with respect to the qualification, selection, summon-  
 ing and empanelling of jurors shall not be a ground of  
 impeaching the verdict or judgment in any action.

3. This Act comes into force on the 1st day of May, 1952. Commence-  
ment

4. This Act may be cited as *The Division Courts Amend-* Short title  
*ment Act, 1952.*





## CHAPTER 24

## An Act to amend The Dower Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 12 of *The Dower Act* is amended by adding thereto the following subsection: Rev. Stat.  
c. 109, s. 12,  
amended

- (2) A person whose wife has not lived in Ontario since their marriage may sell and convey or mortgage any land freed and discharged of any claim of his wife for dower therein. Idem

2. Subsections 1, 2 and 3 of section 13 of *The Dower Act* are repealed and the following substituted therefor: Rev. Stat.,  
c. 109, s. 13,  
subss. 1-3,  
re-enacted

- (1) An owner of land, who is married and wishes to sell or mortgage the land free from dower, may in any case where, Application  
to dispense  
with consent

(a) he and his wife are living apart; or

(b) the whereabouts of his wife is unknown; or

(c) his wife is of unsound mind and confined as such in a hospital for mentally ill, mentally defective or epileptic persons,

apply to a judge of the Supreme Court or to a judge of the county or district court of the county or district in which the owner resides or the land is situate for an order dispensing with the concurrence of his wife for the purpose of barring her dower.

- (2) The judge may, by order made in a summary way, upon such evidence as to him seems proper and upon notice to be served personally, dispense with the concurrence of the wife for the purpose of barring her dower. Order

(3)

## Notice

- (3) Where the judge is satisfied that for any reason notice cannot be served personally, the order may be made after notice has been served upon the Public Trustee and in such other manner as the judge may direct.

## Terms and conditions in order

- (3a) The judge may make the order without imposing any conditions or he may, unless the wife has been living apart from the husband under such circumstances as disentitle her to dower, ascertain and state in the order the value of the dower and by the order direct that the amount thereof shall be paid into court or shall remain a charge upon the land or be secured otherwise for the benefit of the wife or be paid or applied for her benefit as he may deem best.

Rev. Stat.,  
c. 109, s. 15,  
re-enacted

3. Section 15 of *The Dower Act* is repealed and the following substituted therefor:

## Subsequent orders

15. Where a judge makes an order under section 13 or 14 with reference to a parcel of land, he may afterwards make orders in respect of other sales or mortgages by the husband on the evidence adduced on the first application and on such further evidence as satisfies him that the circumstances under which he made the original order still exist.

Rev. Stat.,  
c. 109, s. 17,  
subs. 1,  
re-enacted

4. Subsection 1 of section 17 of *The Dower Act* is repealed and the following substituted therefor:

Application  
by purchaser  
or mortgagee

- (1) Where an owner of land, being at the time married, sells and conveys or has sold and conveyed, or mortgages or has mortgaged the land, his wife not having joined in the conveyance or mortgage and the purchaser or mortgagee not having had notice that the grantor or mortgagor had a wife living at the time, the purchaser or mortgagee may, if any of the circumstances set out in clauses *a* to *c* of subsection 1 of section 13 existed at the time of the conveyance or mortgage, apply during the lifetime of the grantor or mortgagor to a judge of the Supreme Court or to a judge of the county or district court of the county or district in which he resides or the land is situate, for an order enabling him to convey or mortgage the land free from the dower of the wife, and the order may be obtained subject to the like conditions and by the like proceedings as are provided by section 13.

## Short title

5. This Act may be cited as *The Dower Amendment Act, 1952.*

## CHAPTER 25

**An Act to amend The Drugless Practitioners Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Drugless Practitioners Act* is amended by adding thereto the following sections: Rev. Stat.,  
c. 110,  
amended

2a.—(1) The Lieutenant-Governor in Council may appoint a board of directors for one or more classifications of drugless practitioners to be composed of not less than three and not more than five members and to be known as "The Board of Directors of (*inserting the classification or classifications*)". Boards of  
directors

(2) The members of a board of directors shall hold office for a period of two years, but any member shall be eligible for reappointment at the expiration of his term of office. Term of  
office

(3) Every vacancy on a board of directors caused by the death, resignation or incapacity of a member shall be filled by the appointment of a person to hold office for the remainder of the term of such member. Vacancies

(4) The Lieutenant-Governor in Council may designate one of the members to be chairman, one to be vice-chairman and one to be secretary-treasurer of a board of directors. Chairman,  
vice-chair-  
man and  
secretary-  
treasurer

2b. The Lieutenant-Governor in Council may make regulations classifying persons admitted to practice under this Act and for prescribing the systems of treatment that may be followed by drugless practitioners of different classes. Regulations

Board of  
Regents  
replaced

3a.—(1) When a board of directors has been appointed, the Board of Regents shall cease to act with respect to the classification or classifications of drugless practitioners for which the board of directors is appointed and the provisions of this Act with respect to the Board of Regents shall apply *mutatis mutandis* to the board of directors so appointed.

Powers of  
Board of  
Directors

(2) A board of directors may exercise with respect to the classification or classifications of drugless practitioners for which it is appointed all the powers that the Board of Regents would have if the board of directors had not been appointed.

Short title

2. This Act may be cited as *The Drugless Practitioners Amendment Act, 1952*.

## CHAPTER 26

**An Act respecting Edible Oil Products**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) "analyst" means an analyst appointed under this Act;
- (b) "dairy product" means milk, cream, butter, cheese, condensed milk, evaporated milk, milk powder, dry milk, ice cream, malted milk, sherbet or any other product manufactured wholly or mainly from milk;
- (c) "edible oil product" means any food substance, other than a dairy product, of whatever origin, source or composition that is manufactured for human consumption wholly or in part from any fat or oil other than that of milk;
- (d) "inspector" means an inspector appointed under this Act;
- (e) "Minister" means Minister of Agriculture;
- (f) "regulations" means regulations made under this Act.

**2.** This Act applies to every edible oil product and class of <sup>Application of Act</sup> edible oil product designated in the regulations.

**3.** No person shall manufacture or sell by wholesale any <sup>Licence</sup> edible oil product to which this Act applies without a licence therefor from the Minister.

**4.** No person shall offer for sale or sell by wholesale or <sup>Sale of edible oil products</sup> retail any edible oil product to which this Act applies that does not comply with this Act and the regulations.



Inspectors  
and  
analysts

**5.—**(1) The Lieutenant-Governor in Council may appoint such inspectors and analysts as may be deemed necessary for the administration and enforcement of this Act and the regulations.

Obstruction  
of inspector

(2) No person shall obstruct an inspector in the performance of his duties or furnish an inspector with false information.

Regulations

**6.** The Lieutenant-Governor in Council may make regulations,

- (a) designating the edible oil products or classes of edible oil products to which this Act applies;
- (b) providing for the issue of licences to manufacturers and wholesalers of any edible oil product and prescribing the form, terms and conditions thereof and the fees to be paid therefor, and providing for the renewal, suspension and cancellation thereof;
- (c) prescribing the standards of quality for and the composition of any edible oil product or class of edible oil product;
- (d) providing for the detention and confiscation of any edible oil product which does not comply with the provisions of this Act and the regulations;
- (e) respecting the advertising and the labelling of containers of any edible oil product or class of edible oil product;
- (f) prescribing the powers and duties of inspectors and analysts;
- (g) prescribing the records to be kept by manufacturers and wholesalers of any edible oil product;
- (h) exempting any manufacturer or wholesaler from the provisions of this Act and the regulations;
- (i) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Penalty

**7.** Every person who fails to comply with any provision of this Act or the regulations shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than \$500 for each offence.

Commence-  
ment

**8.** This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title

**9.** This Act may be cited as *The Edible Oil Products Act, 1952.*



## CHAPTER 27

**An Act to authorize Provincial Grants to Assist  
in the Erection of Housing Units for  
Elderly Persons**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The Minister of Public Welfare may grant aid to any municipality to assist it in any project for the construction and equipment of low rental housing units for elderly persons. <sup>Grant in aid authorized</sup>

**2.** The amount of any such grant shall be calculated at the rate of \$500 for each dwelling unit or 50 per cent of the capital cost of the project to the municipality, whichever is the lesser. <sup>Amount</sup>

**3.** Grants under this Act shall be paid out of the Consolidated Revenue Fund. <sup>Source</sup>

**4.** The Lieutenant-Governor in Council may make regulations, <sup>Regulations</sup>

(a) prescribing the terms and conditions upon which and the manner in which aid may be granted under this Act;

(b) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act.

**5.** This Act comes into force on the day it receives Royal Assent. <sup>Commencement</sup>

**6.** This Act may be cited as *The Elderly Persons Housing Aid Act, 1952*. <sup>Short title</sup>



## CHAPTER 28

**An Act to amend The Evidence Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 26 of *The Evidence Act* is amended by inserting Rev. Stat., c. 119, s. 26, amended after the word "signature" in the eleventh line the word "or", so that the section shall read as follows:

26. Where the original record could be received in Public or official documents evidence, a copy of any official or public document in Ontario, purporting to be certified under the hand of the proper officer, or the person in whose custody such official or public document is placed, or of a document, by-law, rule, regulation or proceeding, or of any entry in any register or other book of any corporation, created by charter or statute in Ontario, purporting to be certified under the seal of the corporation and the hand of the presiding officer or secretary thereof, shall be receivable in evidence without proof of the seal of the corporation, or of the signature or of the official character of the person or persons appearing to have signed the same, and without further proof thereof.

2. Clause *j* of section 40 of *The Evidence Act* is repealed Rev. Stat., c. 119, s. 40, cl. j, re-enacted and the following substituted therefor:

- (j) before an officer of any of Her Majesty's diplomatic or consular services exercising his functions in any country other than Canada, including an ambassador, envoy, minister, charge d'affaires, counsellor, secretary, attache, consul-general, consul, vice-consul, pro-consul, consular agent, acting consul-general, acting consul, acting vice-consul and acting consular agent;
- (jj) before an officer of the Canadian diplomatic, consular or representative services exercising his func-

tions

tions in any country other than Canada, including, in addition to the diplomatic and consular officers mentioned in clause *j*, a high commissioner, permanent delegate, acting high commissioner, acting permanent delegate, counsellor and secretary;

(*jjj*) before a Canadian Government Trade Commissioner or an Assistant Canadian Government Trade Commissioner exercising his functions in any country other than Canada.

Rev. Stat.,  
c. 119, s. 41,  
re-enacted

3. Section 41 of *The Evidence Act* is repealed and the following substituted therefor:

Proof of  
signature  
and seal

41. Any document purporting to have affixed, impressed or subscribed thereon or thereto,

(a) the signature of such judge or commissioner; or

(b) the signature and official seal of such notary public or prothonotary; or

(c) the seal of the corporation and the signature of such mayor or chief magistrate; or

(d) the signature of such magistrate or collector and of such governor; or

(e) the signature of a person mentioned in clause *j*, *jj* or *jjj* of section 40 and his seal or the seal or stamp of his office or of the office to which he is attached,

as the case may be, in testimony of such oath, affidavit, affirmation or declaration having been administered, sworn, affirmed or made by or before him, or for any other purpose authorized by this Act, shall be admitted in evidence without proof of his signature, or of his signature and the seal or stamp, or of his official character.

Short title

4. This Act may be cited as *The Evidence Amendment Act, 1952*.

## CHAPTER 29

**An Act to repeal The Execution of  
Trusts Act, 1939**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. *The Execution of Trusts Act, 1939* and section 12 of *The 1939  
Statute Law Amendment Act, 1940* are repealed. (2nd Sess.),  
c. 3; 1940, c.  
28, s. 12,  
repealed
2. This Act may be cited as *The Execution of Trusts* Short title  
*Repeal Act, 1952.*





## CHAPTER 30

**An Act to amend The Factory, Shop and Office Building Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** Subsection 3 of section 59 of *The Factory, Shop and Office Building Act* is repealed and the following substituted therefor: Rev. Stat., c. 126, s. 59, subs. 3, re-enacted
- (3) No outside fire escape shall extend above the third floor of any factory, shop, restaurant or office building erected after the 1st day of July, 1952, and the ground floor shall be considered the first floor. Extent of outside fire escapes
- 2.** This Act comes into force on the day it receives Royal Assent. Commencement
- 3.** This Act may be cited as *The Factory, Shop and Office Building Amendment Act, 1952*. Short title



## CHAPTER 31

## An Act to amend The Forest Fires Prevention Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *a* of section 1 of *The Forest Fires Prevention Act* is repealed. Rev. Stat.,  
c. 144, s. 1,  
cl. *a*,  
repealed.

(2) Clause *i* of the said section 1 is repealed and the following substituted therefor: Rev. Stat.,  
c. 144, s. 1,  
cl. *i*,  
re-enacted

(*i*) "travel permit area" means such parts of Ontario as are declared to be travel permit areas under section 9.

**2.** Subsection 2 of section 2 of *The Forest Fires Prevention Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 144, s. 2,  
subs. 2,  
re-enacted

(2) The Lieutenant-Governor in Council may declare parts of Ontario to be fire districts and may declare the name that each fire district shall bear. Creation  
of fire  
districts

**3.** Section 9 of *The Forest Fires Prevention Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 144, s. 9,  
re-enacted

9.—(1) The Lieutenant-Governor in Council may declare parts of Ontario that are within one or more fire districts to be travel permit areas. Creation  
of travel  
permit  
areas

(2) Upon application, an officer may issue, without charge, a permit called a travel permit upon such terms and conditions as he deems proper. Issue of  
travel  
permits

(3) A travel permit shall be authority to the permittee to enter and travel about in the travel permit area during the fire season in accordance with the terms and conditions of the permit and in accordance with the regulations. Authority  
conferred  
by travel  
permit

Prohibition  
against  
fires

- (4) Notwithstanding subsection 3 of section 7, an officer, under the terms and conditions of a travel permit, may prohibit the permittee from setting out fire for the purpose of cooking or obtaining warmth.

Prohibition  
against  
entering  
travel permit  
areas

- (5) No person shall enter and travel about in a travel permit area during the fire season except under and in accordance with the terms and conditions of his travel permit and in accordance with the regulations.

Rev. Stat.,  
c. 144, s. 11,  
subs. 1,  
re-enacted

4.—(1) Subsection 1 of section 11 of *The Forest Fires Prevention Act* is repealed and the following substituted therefor:

#### CLOSED DISTRICTS

Closure of  
fire districts

- (1) Whenever the Minister deems it expedient to close one or more fire districts owing to extremely hazardous fire conditions therein, he may make an order in writing closing the fire district or fire districts that he designates, specifying therein the period during which such closure shall be in force and prescribing therein such other terms and conditions as he deems proper.

Rev. Stat.,  
c. 144, s. 11,  
subs. 2,  
amended

(2) Subsection 2 of the said section 11 is amended by striking out the word "area" in the third line and inserting in lieu thereof the words "fire district or fire districts", so that the subsection shall read as follows:

Notice of  
order

- (2) The Minister shall provide for such notice as he deems necessary under the circumstances, and shall publish a notice of the order setting out the fire district or fire districts closed and the period of closure in such newspapers as in his opinion will give the greatest publicity.

Rev. Stat.,  
c. 144, s. 11,  
subs. 3,  
amended

(3) Subsection 3 of the said section 11 is amended by striking out the word "area" in the second line and inserting in lieu thereof the word "district", so that the subsection shall read as follows:

Prohibition

- (3) No person, unless specially authorized by the Minister, shall enter a closed district during the period of closure.

Commence-  
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Forest Fires Prevention Amendment Act, 1952*.

## CHAPTER 32

## The Forestry Act, 1952

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## 1. In this Act,

Interpre-  
tation

- (a) "Minister" means Minister of Lands and Forests;
- (b) "nursery stock" means coniferous or hardwood seedlings, transplants, grafts or trees propagated or grown in a nursery and having the roots attached, and includes cuttings having or not having the roots attached;
- (c) "owner" means a person having any right, title, interest or equity in land and includes the holder of a licence under *The Crown Timber Act, 1952*; 1952, c. 15
- (d) "private forest reserve" means land declared to be a private forest reserve under this Act;
- (e) "regulations" means regulations made under this Act. R.S.O. 1950, c. 147, s. 1, *amended*.

2. The Minister may enter into agreements with the owners of lands that are suitable for forestry purposes for the reforestation and the management of such lands upon such terms and conditions as he deems proper, but no such agreement shall be entered into for a term of less than twenty years. R.S.O. 1950, c. 147, s. 4, *amended*.

Agreements  
as to  
forestry  
develop-  
ment on  
private  
lands

3. The Minister may direct that an agreement entered into under section 2 shall be registered by the owner of the land in respect of which the agreement is made in the proper registry or land titles office, and thereupon such agreement shall be binding upon and enure to the benefit of every successor-in-title to such owner during the term of the agreement. *New*.

Registration  
of agree-  
ments

Right of  
entry and  
inspection

4. The Minister or any person appointed by him for the purpose may, without the consent of the owner, enter upon any land and make an inspection thereof and survey and examine the timber and other natural resources thereon in order to determine the suitability of such land for forestry purposes. R.S.O. 1950, c. 147, s. 10, *amended*.

Declaring  
forest land  
private  
forest  
reserve

5.—(1) The Lieutenant-Governor in Council may, with the consent of the owner of any land covered with forest or suitable for reforestation, declare such land to be a private forest reserve.

Registra-  
tion of  
declaration

(2) The declaration shall be registered forthwith by the owner in the proper registry or land titles office and thereupon the land shall constitute a private forest reserve in perpetuity.

Cutting and  
removing  
trees

(3) The owner of a private forest reserve shall not cut or remove any trees growing thereon except with the consent of the Minister. R.S.O. 1950, c. 288, s. 5, *amended*.

Release of  
reserved  
timber  
rights

6.—(1) Where the letters patent granting any land declared to be a private forest reserve under this Act contain a reservation of any class or kind of timber, the Minister, upon application and payment by the owner of a purchase price determined by the Minister, may make an order releasing the land from such reservation.

Effect of  
release

(2) Where lands are released from a reservation of any class or kind of timber under subsection 1, the cutting or removal of such timber shall be subject to subsection 3 of section 5. 1951, c. 68, s. 1.

Establish-  
ment of  
nurseries

7.—(1) The Lieutenant-Governor in Council may authorize the Minister to establish one or more nurseries for the growing and production of nursery stock. R.S.O. 1950, c. 325, s. 5, *amended*.

Furnishing  
of nursery  
stock

(2) The Minister, upon application therefor, may furnish nursery stock to any owner upon such terms and conditions as the regulations prescribe. *New*.

Sale, etc.,  
of nursery  
stock  
prohibited

8. No person shall, directly or indirectly, sell or offer for sale or dispose of by gift or otherwise any nursery stock furnished under this Act. R.S.O. 1950, c. 255, s. 2, *amended*.

False  
statement in  
application

9. No person shall knowingly make any false statement of fact in an application to the Minister for nursery stock. R.S.O. 1950, c. 255, s. 3.

Offences  
and  
penalties

10. Every person who contravenes or fails to comply with any provision of this Act or the regulations shall be



guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$10 and not more than \$500. R.S.O. 1950, c. 255, s. 4, *amended*.

**11.** The Lieutenant-Governor in Council may make Regulations regulations,

- (a) prohibiting or regulating and governing the running at large of live stock or other domestic animals in private forest reserves;
- (b) respecting the preservation of trees on private forest reserves;
- (c) governing the form of and the manner in which application for nursery stock shall be made and prescribing the manner and time of payment therefor where a charge is made;
- (d) prescribing the purposes for which nursery stock may or may not be furnished;
- (e) prescribing the classes of land in respect of which and the terms and conditions under which nursery stock may be furnished free of charge or with a charge;
- (f) fixing the charges to be made for nursery stock or any species or type thereof;
- (g) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1950, c. 147, s. 16, *amended*.

**12.** *The Nursery Stock Act, The Private Forest Reserves Act* and *The Private Forest Reserves Amendment Act, 1951* are repealed. Rev. Stat.,  
cc. 255, 288;  
1951, c. 68,  
repealed

**13.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**14.** This Act may be cited as *The Forestry Act, 1952*. Short title



## CHAPTER 33

**An Act to amend The Game and Fisheries Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *r* of section 1 of *The Game and Fisheries Act* is amended by inserting after the word "warden" in the second line the words "any deputy game and fishery warden", so that the clause shall read as follows:

Rev. Stat.,  
c. 153, s. 1, cl. *r*  
amended

(*r*) "officer" means any member of the Ontario Provincial Police Force, any game and fishery warden, any deputy game and fishery warden and any other person authorized to enforce this Act.

**2.** Section 6 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

Rev. Stat.,  
c. 153, s. 6,  
amended

(6*a*) Subsection 6 does not apply to violations of section 62*a*.

When  
subs. 6  
not to  
apply

**3.**—(1) Subsection 2 of section 7 of *The Game and Fisheries Act* is repealed.

Rev. Stat.,  
c. 153, s. 7,  
subs. 2,  
repealed

(2) The said section 7 is amended by renumbering subsection 3 as subsection 2 and by adding thereto the following subsection:

Rev. Stat.,  
c. 153, s. 7,  
amended

(3) This section shall not apply to a farmer and his sons residing upon his lands and hunting or trapping fur-bearing animals, other than beaver, thereon during the open seasons, and any such farmer or his sons may without a licence sell pursuant to this Act the fur-bearing animals or their pelts, other than beaver, hunted or trapped on such lands during the open seasons, but he shall keep such records and make such returns relating thereto as may be prescribed by the Lieutenant-Governor in Council.

Exception  
as to  
farmers

Rev. Stat.,  
c. 153, s. 8,  
re-enacted

4. Section 8 of *The Game and Fisheries Act* is repealed and the following substituted therefor:

Licence to  
trap

8.—(1) The Minister or any officer authorized by him may, in a licence to trap fur-bearing animals, fix the number of each species of fur-bearing animal that may be taken thereunder.

Idem

(2) The Minister or any officer authorized by him may, in a licence to trap fur-bearing animals, define or designate the area in which fur-bearing animals may be taken thereunder by the licensee.

Idem

(3) The Minister or any officer authorized by him may limit the number of licences to trap fur-bearing animals in any area.

Idem

(4) The Minister or any officer authorized by him, in exercising the powers conferred by this section, may do so in such manner as he deems proper having regard to the conservation and perpetuation of the wild life resources in the area concerned.

Idem

(5) A licence to trap fur-bearing animals shall be authority to the licensee to trap in accordance with its terms.

Rev. Stat.,  
c. 153, s. 22,  
subs. 3,  
amended

5.—(1) Subsection 3 of section 22 of *The Game and Fisheries Act* is amended by striking out the words "or Kenora" in the second line, so that the subsection shall read as follows:

Guides  
for non-  
resident  
hunters

(3) No non-resident shall hunt, take or kill deer in the district of Rainy River or moose in any part of Ontario without employing and being accompanied by a licensed guide, but where two or more non-residents hunt together the number of guides employed shall be not less than one guide for each two non-residents.

Rev. Stat.,  
c. 153, s. 22,  
amended

(2) The said section 22 is amended by adding thereto the following subsection:

Limitation  
on guides

(4) The holder of a guide's licence shall not act as a guide for any person for any purpose for which that person is required to have a licence under this Act, the *Migratory Birds Convention Act* (Canada) or the Special Fishery Regulations, unless that person is the holder of a licence for the purpose.

R.S.C. 1927,  
c. 130

Rev. Stat.,  
c. 153, s. 26,  
cl. a,  
subcls.  
i, ii, iii,  
re-enacted

6.—(1) Subclauses i, ii and iii of clause a of section 26 of *The Game and Fisheries Act* are repealed and the following substituted therefor:

(i)

(i) to hunt deer, where subclause ii does not  
apply.....\$ 4.25  
and an issuing fee of......75

(ii) for a farmer actually living upon and tilling  
his land, to kill in the county or territorial  
district in which he resides one deer during  
the open season for his own use and not to  
be sold or bartered and restricted to one  
licence for each household..... 1.75  
and an issuing fee of......25

(iii) to hunt moose..... 9.00  
and an issuing fee of..... 1.00

(2) Subclause i of clause *b* of the said section 26 is repealed and the following substituted therefor: Rev. Stat.,  
c. 153, s. 26,  
cl. b, subcl.  
i, re-enacted

(i) for each four holders of resident deer licences.\$ 4.25  
and an issuing fee of......75

(3) Subclauses i, ii and iii of clause *c* of the said section 26 are repealed and the following substituted therefor: Rev. Stat.,  
c. 153, s. 26,  
cl. c, subcls.  
i, ii, iii,  
re-enacted

(i) to hunt bear, fox, game birds, rabbits, rac-  
coon, squirrel and wolf.....\$ 20.00  
and an issuing fee of..... 1.00

(ii) to hunt deer, bear, fox, game birds, rabbits,  
raccoon, squirrel and wolf..... 35.00  
and an issuing fee of..... 1.00

(iii) to hunt moose, deer, bear, fox, game birds,  
rabbits, raccoon, squirrel and wolf..... 100.00  
and an issuing fee of..... 1.00

7. Subclause ii of clause *d* of section 27 of *The Game and Fisheries Act* is amended by striking out the word "buyer" in the third line and inserting in lieu thereof the word "dealer", so that the subclause shall read as follows: Rev. Stat.,  
c. 153, s. 27,  
cl. d, subcl.  
ii, amended

(ii) for a resident British subject where premises  
are not designated, to be known as "travel-  
ling fur dealer".....\$ 100.00

8. Clause *a* of subsection 2 of section 28 of *The Game and Fisheries Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 153, s. 28,  
subs. 2,  
cl. a,  
re-enacted

(a) to fox and mink bred on fur-farms operating in  
Ontario under a licence; or

. . . . .

Rev. Stat.,  
c. 153, s. 30,  
subs. 4, cl. a,  
re-enacted

**9.** Clause *a* of subsection 4 of section 30 of *The Game and Fisheries Act* is repealed and the following substituted therefor:

(a) at any time shoot or spear any muskrat or beaver.

Rev. Stat.,  
c. 153, s. 32,  
subs. 7,  
repealed

**10.**—(1) Subsection 7 of section 32 of *The Game and Fisheries Act* is repealed.

Rev. Stat.,  
c. 153, s. 32,  
amended

(2) The said section 32 is amended by adding thereto the following subsection:

Traps to  
be marked

(11) No person shall set out any trap for the taking of fur-bearing animals until he has permanently marked the trap with the identification mark that has been allotted to him for the purpose by an officer.

Rev. Stat.,  
c. 153, s. 42,  
cl. a,  
re-enacted

**11.** Clause *a* of section 42 of *The Game and Fisheries Act* is repealed and the following substituted therefor:

(a) any deer, moose, or bird protected by this Act, lawfully killed or procured, may be kept during the period between the end of the open season in any year and the 31st day of August in the next following year, unless otherwise provided under the regulations.

Rev. Stat.,  
c. 153,  
amended

**12.** *The Game and Fisheries Act* is amended by adding thereto the following section:

Interpre-  
tation

62a.—(1) In this section, “owner” includes any person who is the owner of an interest in land entitling him to the possession of it, but does not include the holder of a timber licence.

Entrance  
without  
notice

(2) No person shall hunt or fish or with any gun or sporting implement, fishing rod or tackle in his possession go upon any enclosed or unenclosed land or water after he has had notice not to hunt or fish thereon by the owner either by word of mouth, in writing or by posters or signboards so placed that they may be observed from any point of access to the land.

Wrongful  
erection or  
destruction  
of notices

(3) No person shall,

(a) without authority give or cause to be given the notice mentioned in subsection 2 in respect of land of which he is not the owner; or

(b) tear down, remove, damage, deface or interfere with any poster or signboard placed pursuant to subsection 2.



- (4) Nothing in this section limits or in any way affects the remedy at common law of an owner for trespass. Common law remedy for trespass
- (5) Every person found contravening subsection 2 may be apprehended without warrant by any peace officer or by the owner of the land on which the contravention takes place, or by the servant of, or any person authorized by, such owner, and be taken forthwith to the nearest justice of the peace to be dealt with according to law. Right of apprehension

**13.**—(1) Section 77 of *The Game and Fisheries Act* is amended by adding thereto the following clauses: Rev. Stat., c. 153, s. 77, amended

- (ii) for licensing persons who are conveyed by aircraft to fishing waters for the purpose of angling or to hunting grounds for the purpose of hunting, defining the classes of person to whom and the areas in which such regulations do or do not apply, governing the issue, form, renewal, transfer, refusal, inspection and cancellation of such licences and prescribing their terms and conditions and the fees payable therefor, and prescribing the methods of proving or disproving alleged breaches of such regulations;

. . . . .

- (it) designating any sparsely settled parts of Ontario as "hinterland areas" and prohibiting persons other than residents of the areas from entering and travelling about for the purpose of angling or hunting.

(2) Clause *j* of the said section 77 is amended by striking out the words "specifications for such camps" in the third line, the words "their inspection and classification and" in the fifth and sixth lines and the words "tourists and" in the seventh line, so that the clause shall read as follows: Rev. Stat., c. 153, s. 77, cl. j, amended

- (j) governing the issue, form, refusal, suspension or cancellation of tourist outfitters' camp licences, prescribing the terms and conditions under which such camps may be erected, maintained and operated and providing for the registration of guides in such camps.

**14.** This Act comes into force on the day it receives Royal Assent. Commencement

**15.** This Act may be cited as *The Game and Fisheries Amendment Act, 1952*. Short title



CHAPTER 34

An Act to amend The General Sessions Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 3 of *The General Sessions Act* is amended by adding thereto the following subsections: Rev. Stat.,  
c. 158, s. 3,  
amended

(1a) In the county of Frontenac, Grey, Hastings, Kent, Ontario, Peterborough, Waterloo, and Welland the sittings of the court in each year shall commence on the first Monday in June and the third Monday in November. Frontenac,  
Grey, Hast-  
ings, Kent,  
Ontario,  
Peter-  
borough,  
Waterloo,  
Welland

. . . . .

(3a) In the county of Lincoln the sittings of the court in each year shall commence on the first Monday in June and the fourth Monday in November. Lincoln

(2) Subsection 4 of the said section 3 is amended by striking out the words “first Monday in June and the second Monday in November” in the second and third lines and inserting in lieu thereof the words “second Monday in May and November”, so that the subsection shall read as follows: Rev. Stat.,  
c. 158, s. 3,  
subs. 4,  
amended

(4) In the county of Middlesex the sittings of the court in each year shall commence on the second Monday in May and November. Middlesex

(3) Subsection 8 of the said section 3 is repealed and the following substituted therefor: Rev. Stat.,  
c. 158, s. 13,  
subs. 8,  
re-enacted

(8) The judge of a county court may postpone any sittings of the court if the postponement does not in his opinion conflict or interfere with the sittings of the Supreme Court in such county. Postpone-  
ment of  
sittings

Rev. Stat.,  
c. 158, s. 3,  
subs. 9,  
amended

(4) Subsection 9 of the said section 3 is amended by striking out the words "in every county in the county court district" in the fourth line, so that the subsection shall read as follows:

Notice of  
postpone-  
ment

(9) Where any such sittings is so postponed, notice of the postponement and of the date upon which the sittings shall commence shall be posted in the office of the county court clerk not later than sixty days before the commencement of such postponed sittings.

Commence-  
ment

**2.** This Act comes into force on the day it receives Royal Assent.

Short title

**3.** This Act may be cited as *The General Sessions Amendment Act, 1952*.

## CHAPTER 35

## An Act respecting the Health of Live Stock

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## 1. In this Act,

Interpre-  
tation

- (a) "Commissioner" means Live Stock Commissioner;
- (b) "community sale yard" means the land, building and structures where live stock, accepted on consignment or purchased for re-sale, is offered for sale by public auction;
- (c) "inspector" means an inspector appointed for the purposes of this Act;
- (d) "live stock" includes cattle, goats, horses, sheep, swine, cats and dogs, and domestic birds;
- (e) "live stock product" includes meat, bone and bone meal, raw hides and wool, but does not include cooked or canned meats;
- (f) "Minister" means Minister of Agriculture;
- (g) "regulations" means regulations made under this Act.

**2.**—(1) Subject to the regulations, no person shall ship, transport, drive or carry in Ontario any live stock or live stock product from any area designated in the regulations as an area of source of disease to live stock without a permit therefor.

(2) No person shall receive or have in his possession within Ontario any live stock or live stock product from any area of source of disease except where such live stock or live stock

product

product has been shipped, transported, driven or carried in Ontario under authority of a permit.

Community  
sale yard

3. Subject to the regulations, no person shall maintain or operate a community sale yard without a licence therefor from the Commissioner.

Powers of  
Commis-  
sioner  
and in-  
spectors

4.—(1) The Commissioner or an inspector, for the purpose of enforcing this Act, may,

- (a) enter any place, premises or vehicle containing or used for the stabling, storage or carriage of any live stock or live stock product, or any community sale yard;
- (b) stop on a highway any vehicle which he believes to be carrying, in violation of this Act or the regulations, any live stock or live stock product, and inspect the vehicle and any live stock or live stock product found therein;
- (c) require the production of any books, records or other documents relating to live stock or live stock products or the furnishing of copies of or extracts from such books, records or other documents;
- (d) take samples of any live stock product in the manner prescribed by the regulations;
- (e) delay the shipment of any live stock or live stock product for the time necessary to complete his inspection thereof; and
- (f) seize and detain any live stock or live stock product which in his opinion is stabled, shipped, transported, driven, carried or stored, in violation of this Act or the regulations.

Obstruction

(2) No person shall obstruct the Commissioner or an inspector in the performance of his duties or refuse to permit the inspection of any live stock or live stock product or furnish him with false information.

Production  
of records

(3) Every person shall, when required by the Commissioner or an inspector, produce any books, records or other documents relating to any live stock or live stock product or copies of or extracts from such books, records or other documents.

Disposal of  
seized live  
stock, etc.

5.—(1) Subject to the regulations, any live stock or live stock product seized or detained by the Commissioner or an inspector shall be disposed of as the Minister may direct.



(2) Any live stock or live stock product seized, detained or disposed of under this Act shall be at the risk and expense of the owner thereof, and the Commissioner or the inspector shall immediately notify the owner that such live stock or live stock product has been seized, detained or disposed of, as the case may be.

Seizure and  
detention of  
live stock,  
etc., at  
expense of  
owner

**6.** The Lieutenant-Governor in Council may make regulations,

- (a) designating diseases and the areas of source of these diseases;
- (b) exempting any live stock or type or class thereof or any live stock product from any of the provisions of this Act or the regulations;
- (c) providing for the inspection of live stock and live stock products, and the reports thereof to be sent to the Commissioner;
- (d) prescribing forms for use under this Act;
- (e) prescribing the manner of taking samples of live stock products;
- (f) providing for detention of live stock and live stock products;
- (g) providing for the disposal of any live stock which shows evidence of disease;
- (h) prescribing the facilities for stabling, feeding, watering and caring for live stock at a community sale yard;
- (i) prescribing the sanitary conditions of and the use of disinfectants at a community sale yard;
- (j) providing for the issuance of permits for shipping, transporting, driving or carrying in Ontario live stock or live stock products from any area of source of disease designated in the regulations;
- (k) providing for records to be made and maintained at a community sale yard showing the names and addresses of the consignees and sellers and the buyers of live stock and the dates of arrival and departure of all live stock and the identification thereof;
- (l) providing for the issuing of licences for the operation of a community sale yard and for the renewal, suspension and revocation of such licences, and prescribing the fees payable therefor;

(m)

- (m) prescribing the terms and conditions upon which licences may be issued, renewed, suspended and revoked;
- (n) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act.

**Penalties**

**7.** Every person who contravenes any of the provisions of this Act or the regulations shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$25 and not more than \$250 for the first offence and to a penalty of not less than \$50 and not more than \$1,000 for any subsequent offence.

**Commence-  
ment**

**8.** This Act comes into force on the day it receives Royal Assent.

**Short title**

**9.** This Act may be cited as *The Health of Live Stock Act, 1952*.

## CHAPTER 36

## An Act to amend The High Schools Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *h* of subsection 1 of section 1 of *The High Schools Act* is amended by striking out the words “fees payable in respect of resident pupils in attendance at high schools and continuation schools outside the high school district” in the twelfth, thirteenth, fourteenth and fifteenth lines, so that the clause shall read as follows:

(*h*) “maintenance” includes repairs to the teacher’s residence, the school buildings, outhouses, gymnasium, fences and school furniture; altering the system of heating or ventilation; the erection of fences; the improvement of the school grounds and the grounds attached to the teacher’s residence; insurance on the school property; salaries of the teachers, officers and other employees of the board; contributions to a superannuation or pension fund for the benefit of teachers, officers and other employees of the board; any sums spent for medical and dental inspection and dental treatment; the expense of conducting examinations; interest charges on temporary loans made for the purposes of the board and other expenses for ordinary school purposes, and for such annual additions to the library, apparatus and other appliances as may be required by the Minister or by the regulations; gratuities and retiring allowances granted to teachers, officers and other employees; the cost of providing transportation for pupils.

(2) Subsection 1 of the said section 1 is amended by adding thereto the following clauses:

(*kk*) “occasional teacher” means a teacher employed to teach on a daily basis as a substitute for a permanent, probationary or temporary teacher;

. . . . .

(*mm*)

Rev. Stat.,  
c. 165,  
s. 1, subs. 1,  
cl. *h*,  
amended

Rev. Stat.,  
c. 165, s. 1,  
subs. 1,  
amended

(*mm*) "permanent teacher" means a teacher employed on a continuing basis, but does not include a temporary teacher or an occasional teacher;

(*mmm*) "probationary teacher" means a teacher employed for a probationary period,

(i) of not more than two years for a teacher with less than three years experience before the commencement of the contract, or

(ii) of not more than one year for a teacher with three or more years experience before the commencement of the contract,

leading to an appointment as a permanent teacher if his services are satisfactory to the board, but does not include a temporary teacher or an occasional teacher;

. . . . .

(*pp*) "temporary teacher" means a teacher employed to teach on a monthly basis for a period not exceeding one year.

Rev. Stat.,  
c. 165, s. 4,  
re-enacted

**2.** Section 4 of *The High Schools Act* is repealed and the following substituted therefor:

Interpre-  
tation

4. In sections 5 to 11, "adjoining" means touching at any point, and,

(a) where more than two counties are concerned they shall be deemed to be adjoining if each county adjoins one of the other counties; and

(b) for the purposes of a high school district comprising more than two municipalities or parts of municipalities, the municipalities or parts shall be deemed to be adjoining if each municipality, and each part of a municipality, included in the district adjoins some other municipality, or part of a municipality, included in the district.

Rev. Stat.,  
c. 165, s. 5,  
subs. 1,  
amended

**3.—**(1) Subsection 1 of section 5 of *The High Schools Act* is amended by adding at the end thereof the words "and shall add the municipalities or parts of municipalities comprised in the district so discontinued to one or more other districts or include such municipalities or parts in one or more new districts", so that the subsection shall read as follows:

- (1) Subject to the approval of the Minister first being obtained, the council of a county or the councils of two or more adjoining counties, may by by-law establish the whole or any part of a municipality or the whole or parts of two or more adjoining municipalities situated within the county or counties as a new high school district, and the council of a county or the councils of two or more adjoining counties may in like manner discontinue any high school district already established within the county or counties and shall add the municipalities or parts of municipalities comprised in the district so discontinued to one or more other districts or include such municipalities or parts in one or more new districts.

Establishment and discontinuance of districts

- (2) Subsection 5 of the said section 5 is repealed and the following substituted therefor:

Rev. Stat., c. 165, s. 5, subs. 5, re-enacted

- (5) The Lieutenant-Governor in Council may establish any area in territory without municipal organization, or any such area and an adjoining municipality or municipalities or any part or parts thereof, as a high school district.

Establishment of districts for unorganized territory

- (3) The said section 5 is amended by adding thereto the following subsections:

Rev. Stat., c. 165, s. 5, amended

- (6) Where, in the opinion of the Minister, it is desirable to establish and maintain a high school on lands held by the Crown in right of Canada or Ontario, the Minister may designate any portion of such lands as a high school district, and may appoint as members of the board such persons as he may deem proper.

Districts on Crown lands

- (7) The board so appointed shall be a body corporate by the name indicated in the order establishing the high school district, and shall have all the authority of a board of high school trustees for the purposes of this Act.

Board

4. Subclause i of clause *m* of section 28 of *The High Schools Act* is amended by striking out the word "show" in the first line and inserting in lieu thereof the words "include and make due allowance for", so that the subclause shall read as follows:

Rev. Stat., c. 165, s. 28, cl. *m*, subcl. i, amended

- (i) shall include and make due allowance for the amount of any surplus or deficit remaining at the end of the preceding year and the revenues estimated to be derived from legislative grants, any county or other municipality, fees and from all other sources, and

. . . . .



Rev. Stat.,  
c. 165, s. 50,  
amended

**5.** Section 50 of *The High Schools Act* is amended by adding thereto the following subsection:

Designation  
of assessor

(6a) For the purpose of subsection 6, where there is more than one assessor in any municipality, the council thereof shall name one of them to be the arbitrator for the municipality.

Rev. Stat.,  
c. 165, s. 55,  
subss. 2, 3,  
re-enacted

**6.** Subsections 2 and 3 of section 55 of *The High Schools Act* are repealed and the following substituted therefor:

Resident  
pupils in  
counties

(2) A resident pupil of a high school district in a county shall have the right to attend,

(a) a high or vocational school in the district of which he is a resident pupil; or

(b) any high, continuation or vocational school,

(i) which is more accessible to the pupil than any high school in his own district, or

(ii) to take a course of study leading to a type of secondary school graduation diploma not available in his own district, or

(iii) to take a grade XIII subject or subjects not available in his own district and required by the pupil for admission to any university or teacher-training course or for entry into any trade, profession or calling, or

(iv) to take the subject of French for French-speaking pupils in grade IX, X, XI, XII or XIII if this subject is not available in his own district and is required by the pupil for admission to any university or teacher-training course or for entry into any trade, profession or calling,

provided that the school has been declared open to such pupils and that, in the case of a high or continuation school, the school is situated in his own county outside of a city or separated town, or is situated in an adjoining county or in a city or separated town in his own or an adjoining county.



- (3) A resident pupil of a high school district in a territorial district shall have the right to attend any high, continuation or vocational school in Ontario, Resident pupils in territorial districts

(a) which is more accessible to the pupil than any high school in his own school district; or

(b) to take a course of study leading to a type of secondary school graduation diploma not available in his own school district; or

(c) to take a grade XIII subject or subjects not available in his own school district and required by the pupil for admission to any university or teacher-training course or for entry into any trade, profession or calling; or

(d) to take the subject of French for French-speaking pupils in grade IX, X, XI, XII or XIII if this subject is not available in his own district and is required by the pupil for admission to any university or teacher-training course or for entry into any trade, profession or calling.

7.—(1) Subsection 1 of section 59 of *The High Schools Act* is repealed and the following substituted therefor: Rev. Stat., c. 165, s. 59, subs. 1, re-enacted

- (1) A memorandum of every contract of employment between a board and a permanent teacher or a probationary teacher shall be made in writing in the form of contract prescribed by the regulations, signed by the parties, sealed with the seal of the board and executed before the teacher enters upon his duties, but if for any reason such memorandum is not so made every contract shall be deemed to include the terms and conditions contained in the form of contract prescribed for a permanent teacher and the teacher's salary shall be payable in ten monthly payments in the manner provided therein. Memorandum of contract

(2) Subsection 3 of the said section 59 is repealed and the following substituted therefor: Rev. Stat., c. 165, s. 59, subs. 3, re-enacted

- (3) A teacher shall be entitled to his salary notwithstanding his absence from duty, on account of sickness certified to by a physician or on account of acute inflammatory condition of the teeth or gums certified to by a licentiate of dental surgery, for a total of twenty school days in any one school year; Payment for absence due to illness or dental condition

but

but a board may in its discretion pay the teacher his salary for more than twenty days absence from duty on account of sickness or such tooth or gum condition.

Commence-  
ment

**8.**—(1) This Act, except subsection 2 of section 3, comes into force on the day it receives Royal Assent.

*Idem*

(2) Subsection 2 of section 3 shall be deemed to have come into force on the 1st day of January, 1951.

Short  
title

**9.** This Act may be cited as *The High Schools Amendment Act, 1952*.

## CHAPTER 37

**An Act to amend The Homes for the Aged Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of subsection 4 of section 9 of *The Homes for the Aged Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 168, s. 9,  
subs. 4, cl. *a*,  
re-enacted

- (*a*) an authorization in the prescribed form signed by the head of the council of a city, town, village or township, or in a county in which the county council has designated the warden to sign such authorizations, by the warden, or in a city having a population of not less than 100,000, by such member of the council as the mayor has designated, or where the person resides in unorganized territory, by the provincial welfare administrator of the district.

2. This Act may be cited as *The Homes for the Aged Amendment Act, 1952*. Short title



## CHAPTER 38

**An Act to provide for the Making of Inquiries  
in Connection with Hospitals, Sanatoria,  
Charitable Institutions and Other  
Organizations**

*Assented to March 17th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Whenever the Lieutenant-Governor in Council deems it expedient to cause inquiry to be made concerning any matter, whether arising before or after the date this Act comes into force, connected with or affecting any hospital, sanatorium, charitable institution or other organization that is granted aid out of moneys appropriated by the Legislature, he may, by commission, appoint one or more persons to conduct such inquiry, and every person so appointed shall for that purpose have all the powers that may be conferred upon a commissioner appointed under *The Public Inquiries Act*.

Power to  
make  
inquiry

Rev. Stat.,  
c. 308

**2.** Sections 4 and 5 of *The Public Inquiries Act* apply *mutatis mutandis* to any inquiry authorized under this Act.

Application  
of Rev. Stat.,  
c. 308, ss. 4, 5

**3.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**4.** This Act may be cited as *The Hospitals and Charitable Institutions Inquiries Act, 1952*.

Short title





## CHAPTER 39

## An Act to amend The Housing Development Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 4 and 5 of section 6 of *The Housing Development Act* are repealed and the following substituted therefor: Rev. Stat.,  
c. 174, s. 6,  
subss. 4, 5,  
re-enacted

- (4) Notwithstanding any other Act, the council of a municipality which enters into or has heretofore entered into an agreement with Her Majesty the Queen in right of Ontario, or with Her Majesty the Queen in right of Ontario and Central Mortgage and Housing Corporation, a corporation established by *The Central Mortgage and Housing Corporation Act* 1945  
(2nd Sess.),  
c. 15 (Can.) (Canada), pursuant to *The Housing Development Act*, 1948 or this Act, shall be deemed to have and to 1948, c. 44 have had authority to enter into such agreement and shall have all such powers as may be necessary to carry out the provisions thereof or of any undertaking given by such council pursuant thereto, and, without limiting the generality of the foregoing, such council may incur continuing obligations and make provisions for the discharge thereof and may contribute moneys to and expend moneys on joint housing projects and raise moneys therefor by the issue of debentures, all without the assent of the electors and without reference to the Ontario Municipal Board, and such council may apportion any debt or obligation arising out of such agreement in such manner as it may deem equitable against any properties, whether such properties form part of a project within the meaning of such agreement or are adjacent thereto, and such debt or obligation when so apportioned shall be deemed to be a land tax within the meaning of *The Assessment Act* and Rev. Stat.,  
c. 24 recoverable as such.

Payments  
in lieu  
of taxes

- (5) The Crown in right of Ontario may agree to pay annually to any municipality, in respect of any lands acquired for a joint housing project within the municipality, a sum of money calculated on any basis whatsoever but not in excess of the amount that in the opinion of the Minister of Municipal Affairs would have been payable to the municipality as taxes on such lands if they had not been exempt from taxation.

Tax exemp-  
tion for  
tenant-  
occupied  
lands

- (5a) Where an agreement under subsection 5 is in force in respect of land occupied by tenants, the land shall nevertheless be exempt from taxation, including local improvement rates.

Right to  
vote not  
affected

- (5b) The right to vote of such tenants shall not be affected by subsection 5a, and the assessment rolls and voters' lists shall be prepared in the usual manner as if subsection 5a had not been passed.

Rev. Stat.,  
c. 174, s. 6a  
(1951,  
c. 37, s. 1),  
re-enacted

2. Section 6a of *The Housing Development Act*, as enacted by section 1 of *The Housing Development Amendment Act, 1951*, is repealed and the following substituted therefor:

Acquisition  
of land

- 6a.—(1) The Minister of Planning and Development may, for and in the name of Her Majesty in right of Ontario, acquire by purchase or otherwise, or without the consent of the owner enter upon, take and expropriate, any land he deems necessary for the purposes of a housing project under section 6.

Expropria-  
tion

- (2) The Minister in the exercise of his powers to take land compulsorily shall have all the powers conferred by *The Public Works Act* on the Minister of Public Works in relation to a public work, and in the application of this section where the words "the Minister", "the Department" or "the Crown" appear in such Act, they shall, where the context permits, mean the Minister of Planning and Development.

Rev. Stat.,  
c. 323

Procedure

- (3) The Minister of Planning and Development shall proceed in the manner provided by *The Public Works Act* where the Minister of Public Works enters upon, takes or uses land or property for the use of Ontario, and all the provisions of that Act, including the provisions as to compensation, shall apply *mutatis mutandis*.

Mode of  
perfecting  
title

- (4) Upon the deposit in the proper registry or land titles office of a plan and description of the land acquired

by

by the Minister of Planning and Development, signed by him and by an Ontario land surveyor, the land so described shall thereupon vest in the Minister.

6b.—(1) The Crown in right of Ontario may enter into an agreement with any corporation under which the corporation will contribute moneys to any joint housing project being carried out under section 6. <sup>Contribution by corporations</sup>

(2) Any corporation incorporated under the laws of Ontario shall have power to enter into and carry out such agreement. <sup>Powers of corporations</sup>

**3.** This Act comes into force on the day it receives Royal Assent. <sup>Commencement</sup>

**4.** This Act may be cited as *The Housing Development Amendment Act, 1952*. <sup>Short title</sup>



## CHAPTER 40

**An Act to suspend The Income Tax Act  
(Ontario) in respect of Income of the  
Calendar Year 1951**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** Notwithstanding *The Income Tax Act* (Ontario), no tax shall be levied under that Act on income of the calendar year 1951. Personal  
income tax  
suspended

R.S.O. 1937,  
c. 25

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Income Tax Suspension Act, 1952*. Short title





# CHAPTER 41

## An Act to amend The Insurance Act

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clauses *b* and *c* of section 239 of *The Insurance Act* are repealed and the following substituted therefor:

Rev. Stat.,  
c. 183, s. 239,  
cl. *b*, re-  
enacted;  
cl. *c*,  
repealed

  - (*b*) except as provided in section 263, if it insures or indemnifies against contingencies other than sickness, accident, disability, death or funeral expenses; or
  - . . . . .
2. Section 241 of *The Insurance Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 183, s. 241,  
re-enacted

  241. Clause *b* of section 239 shall not apply to contracts guaranteeing the fidelity of officers, servants or employees of the branches or subdivisions of a corporation.
3. Sections 263 and 264 of *The Insurance Act* are repealed and the following substituted therefor:

Rev. Stat.,  
c. 183,  
ss. 263, 264,  
re-enacted

  263. A fraternal society licensed under this Act which has filed with the Superintendent for at least three successive years a declaration of an actuary as required by subsection 2 of section 252, if duly authorized by a by-law of the society passed on the recommendation of the actuary, may issue to its members,
    - (*a*) endowment or term insurance contracts;
    - (*b*) insurance contracts under which the sum or sums payable on the death of any one person, other than a double indemnity accident benefit, is in excess of \$10,000; and
    - (*c*) annuities of all kinds.

Recommendation of  
actuary

264. Every by-law referred to in section 263 shall set forth the rates of benefit and indemnity and the amounts of insurance or annuity that may be issued, but such by-law shall be without effect unless the actuary of the society certifies to the reasonableness of the rates of benefit and indemnity and of the amounts of insurance or annuity having regard to,

(a) all the conditions and circumstances of their issuance;

(b) the sufficiency of the rates of contribution therefor; and

(c) the reasonableness of the loan values, cash values and other equities that may be provided,

and recommends the passing of such by-law.

Societies  
composed of  
municipal  
and govern-  
ment  
employees

264a. Notwithstanding the provisions of sections 263 and 264, any society the membership of which is limited by its constitution or laws to municipal or government employees may undertake annuities on lives in the nature of old age pensions.

Short title

4. This Act may be cited as *The Insurance Amendment Act, 1952*.

## CHAPTER 42

**An Act to approve an Agreement between  
Canada and Ontario respecting the Generation  
of Electrical Power in the International Rapids  
Section of the St. Lawrence River**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The agreement made the 3rd day of December, 1951, <sup>Agreement approved</sup> between the Government of Canada and the Government of Ontario, set out as the Schedule to this Act, is approved and all things to be done by virtue thereof are authorized.

**2.** This Act comes into force on a day to be named by <sup>Commence-ment</sup> the Lieutenant-Governor by his Proclamation.

**3.** This Act may be cited as *The International Rapids* <sup>Short title</sup> *Power Development Agreement Act, 1952.*

## SCHEDULE

AGREEMENT made this third day of December, A.D. 1951,

BETWEEN:

THE GOVERNMENT OF CANADA, herein represented by the Right Honourable Louis S. St. Laurent, Prime Minister, and the Honourable Lionel Chevrier, Minister of Transport, hereinafter referred to as Canada,

OF THE FIRST PART,

—and—

THE GOVERNMENT OF ONTARIO, herein represented by the Honourable Leslie M. Frost, Premier, and the Honourable George H. Challies, Acting Provincial Secretary, hereinafter referred to as Ontario,

OF THE SECOND PART.

WHEREAS the development of the power resources in the International Rapids Section of the St. Lawrence River is urgently required;

WHEREAS it is intended that the Canadian share of the power to be developed therefrom would be available to Ontario;

WHEREAS Ontario is desirous of undertaking such development concurrently with the undertaking of a complementary development by an appropriate authority in the United States of America;

AND WHEREAS, by the Boundary Waters Treaty binding upon Canada and the United States of America, it is agreed that further uses of or obstructions or diversions of boundary waters on either side of the line affecting the natural level or flow of boundary waters on the other side of the line may not be made except by authority of the United States or Canada within their respective jurisdictions and with the approval of the International Joint Commission constituted by the Treaty;

AND WHEREAS the Treaty provides with respect to boundary waters:—

“The following order of precedence shall be observed among the various uses enumerated hereinafter for these waters, and no use shall be permitted which tends materially to conflict with or restrain any other use which is given preference over it in this order of precedence:

- (1) Uses for domestic and sanitary purposes;
- (2) Uses for navigation, including the service of canals for the purposes of navigation;
- (3) Uses for power and for irrigation purposes.”

AND WHEREAS it is desirable that an agreement should be made between Canada and Ontario concerning the construction, maintenance and operation of works for the development of power in the International Rapids Section subject to and in accordance with Canada's obligations under the Boundary Waters Treaty;

NOW THEREFORE this Agreement witnesseth that the parties hereto agree as follows:—

## ARTICLE I

For the purposes of this Agreement, unless the context otherwise requires, the expression:—

(a)

- (a) "deep waterway" means adequate provision for navigation requiring a controlling channel depth of twenty-seven feet with a depth of thirty feet over lock sills in general accordance with the specifications set forth in the Report of the Joint Board of Engineers, dated November 16, 1926;
- (b) "International Rapids Section" means that part of the International Section which extends from Chimney Point to the village of St. Regis;
- (c) "International Section" means that part of the St. Lawrence River through which the International boundary line runs;
- (d) "St. Lawrence River" includes the river channels and the lakes forming parts of the river channels from the outlet of Lake Ontario to the sea; and
- (e) "the works" means the works described in Article II to be undertaken and carried out by Ontario.

#### ARTICLE II

Canada will do all in its power, consistently with its obligations under the Boundary Waters Treaty of 1909 aforementioned and the preservation of the interests of others in the St. Lawrence River, to obtain the approval of the International Joint Commission established under the said Boundary Waters Treaty pursuant to an application to be made by Ontario in a form approved by Canada, of works to develop the power resources of the International Rapids Section of the St. Lawrence River to be undertaken by Ontario concurrently with the undertaking of complementary works by an appropriate authority in the United States of America, in accordance with the plan known as the "Controlled Single Stage Project (238-242)", containing the features described in the Annex to this Agreement with such modifications as may be agreed upon herein or by Canada and Ontario.

#### ARTICLE III

Articles IV to XVI of this Agreement shall not come into operation until the making of an order by His Excellency the Governor General in Council of Canada signifying on behalf of Canada that

- (a) the terms upon which the International Joint Commission has approved the works mentioned in Article II of this Agreement for the development of the power resources of the International Rapids Section, including the works to be undertaken by Ontario, under Article III of the Boundary Waters Treaty of 1909 are satisfactory to Canada; and
- (b) Ontario has satisfied Canada that it will, concurrently with complementary operations by an appropriate authority in the United States, undertake the construction, maintenance and operation of the works.

#### ARTICLE IV

Canada and Ontario will cause to be enacted such legislation as may be agreed upon between them as being necessary to authorize and provide fully for the construction, maintenance and operation of the works.

#### ARTICLE V

(1) Subject to paragraph two of this Article, Canada will transfer to Ontario the administration of such lands belonging to Canada as are required for the works and such lands shall belong to Ontario.

(2) Ontario will compensate Canada for all lands the administration of which is transferred to Ontario pursuant to paragraph one of this Article other than the lands or property forming part of the existing canal system in the International Rapids Section.



(3) Upon completion of the necessary works to permit the continuance of fourteen-foot navigation on the Canadian side around the control dam and from the pool above Long Sault Dam to connect with the existing Cornwall Canal, as provided in paragraph seven of the Annex hereto, Ontario will transfer to Canada the administration of such works, the sites thereof and such lands belonging to Ontario as are required for the operation thereof, and such works, sites and lands shall belong to Canada.

(4) Ontario will indemnify and save Canada harmless in respect of all claims of third parties in any way arising out of the construction, maintenance or operation of the works, it being understood by the parties hereto that no damages can so arise west of a line drawn due north and south through the most westerly point of Spencer Island and it is agreed that this indemnity clause shall not apply to any claim for any such damages alleged to have been sustained west of the said line.

#### ARTICLE VI

(1) Ontario will, to the full extent of its ability, concurrently with complementary operations by an appropriate authority in the United States of America, construct, maintain and operate the works in accordance with the terms of this Agreement, and in that respect will carry out and give full force and effect to all or any conditions, provisions or orders imposed or made by or under the authority of the International Joint Commission or by the Governor General in Council of Canada for the protection of navigation or to regulate and control the use of the water of the St. Lawrence River for the works, for the protection of others engaged in the production of power outside the Province of Ontario, and, in the case of any default on the part of Ontario, Canada may, by notice in writing specifying the particulars of the alleged default, require full and complete compliance, within a period or periods named in the notice, by Ontario with its obligations hereunder in respect of which default is alleged, and if the notice is not complied with within the time or any of the respective times so specified, Canada may, subject to paragraph two of this Article, take over or undertake the operation of the works or any part of the works or may construct, maintain and carry out the works, and in any such event the works shall vest in and belong to Canada.

(2) If any dispute arises between the parties hereto as to whether Ontario is carrying out her obligations hereunder or otherwise in any way under this clause, such dispute shall be referred to an arbitral tribunal constituted as provided in Article XIV of this Agreement and, pending disposition by the tribunal of such dispute, Ontario may carry on the construction, maintenance or operation of the works and Canada shall not take over or undertake the operation of the works or any part thereof or the construction, maintenance and carrying out thereof as provided in paragraph one.

#### ARTICLE VII

Ontario will, at such times and in such manner and form and upon such ratings as may be prescribed by Canada or authorized representatives of Canada,

- (a) take and keep records of the flow and water levels in the International Rapids Section and furnish certified copies thereof to Canada;
- (b) calibrate or cause to be calibrated its turbines, penstocks, sluices or other water passages forming part of the works.

#### ARTICLE VIII

Canada or authorized representatives of Canada will at all times be empowered

- (a) to have free access to the works;
- (b) to measure the discharge of the various sluices, turbines, penstocks or other water passages forming part of the works.



## ARTICLE IX

Ontario will furnish to Canada such plans, drawings or other information relating to the works as Canada may request from time to time.

## ARTICLE X

Ontario may provide for the enjoyment and exercise by The Hydro-Electric Power Commission of Ontario of any of Ontario's rights and benefits under this Agreement.

## ARTICLE XI

(1) Subject to the provisions of this Article, Ontario will transfer to Canada the administration of any such lands belonging to Ontario as are specified by Canada as being required for the sites of locks and works to carry a deep waterway through the International Rapids Section or for the construction, maintenance and operation thereof and such lands shall belong to Canada.

(2) Canada will compensate Ontario for all lands the administration of which is transferred to Canada pursuant to paragraph one of this Article, other than lands or property of Ontario forming part of or acquired and held by Ontario for the purposes of the works.

(3) Subject to paragraph four of this Article, Ontario will not be entitled to any compensation for lands or property of Ontario forming part of or acquired and held by Ontario for the purposes of the works, the administration of which is required to be transferred by Ontario to Canada pursuant to paragraph one of this Article, and Ontario will not be entitled to claim any compensation for loss or expenses incurred with respect to the works or the maintenance or operation thereof or the distribution of power therefrom arising out of the construction by Canada of the locks or works required for the said deep waterway.

(4) Where Ontario has, before constructing any part of the works, given notice to Canada of the location of that part of the works, if Canada did not before commencement of the construction thereof give notice to Ontario that the lands upon which that part of the works was to be located might be required for the purposes of the said deep waterway and if Canada thereafter requires Ontario to transfer the administration of those lands to Canada pursuant to paragraph one of this Article, Ontario will be entitled to compensation for those lands and the said part of the works and for all loss or expense incurred with respect to the works or the maintenance or operation thereof or the distribution of power therefrom arising by reason of Canada requiring Ontario to transfer the said lands and said part of the works to Canada.

(5) Canada will indemnify and save Ontario harmless in respect of all claims of third parties in any way arising out of the construction, maintenance or operation of a deep waterway through the International Rapids Section.

## ARTICLE XII

If the construction by Canada of the locks and works mentioned in Article XI renders unnecessary the construction by Ontario of the works required to permit the continuance of fourteen-foot navigation as described in paragraph seven of the Annex to this Agreement, Ontario will pay to Canada a part of the cost of such locks and works equivalent to the cost of the works that would have been required to be constructed by Ontario to permit the continuance of such fourteen-foot navigation.

## ARTICLE XIII

Ontario will furnish at cost such power as may from time to time be required by Canada for the operation of the navigation works and for other purposes of navigation in the International Rapids Section.

## ARTICLE XIV

(1) In the event of Canada and Ontario failing to agree on the interpretation of any part of this Agreement or any matter arising therefrom, either party shall have the right to refer the matter to an arbitral tribunal.

(2) Each arbitral tribunal shall consist of one person chosen by Canada, one person chosen by Ontario and one person chosen by agreement between Canada and Ontario. If they fail to agree, the third member of the tribunal shall be chosen by the Chief Justice of Canada.

(3) Both parties agree to facilitate the constitution and functioning of arbitral tribunals and to accept their decisions.

(4) The procedure in any arbitration under the provisions of this Article will be determined by Agreement between the parties hereto.

## ARTICLE XV

Ontario will establish a Commission to supervise the execution of such works as may be appropriate, consistently with the execution of the works, to safeguard and enhance the scenic beauty of and historic associations with the International Rapids Section.

## ARTICLE XVI

Where by the terms of this Agreement any notice or request is to be given or made by or on behalf of Canada, such notice or request shall be deemed, for the purposes of this Agreement, to be effectively given or made if given or made by the Minister of Transport of Canada to the Provincial Secretary of Ontario, and where by the terms of this Agreement any notice or request is to be given or made by or on behalf of Ontario, such notice or request shall be deemed for the purposes of this Agreement, to be effectively given or made if given or made to the Minister of Transport by the Provincial Secretary or a person authorized by him in that behalf, notice of whose authority has been given to the Minister of Transport by the Provincial Secretary.

## ARTICLE XVII

This Agreement is made subject to its approval by the Parliament of Canada and by the Legislature of the Province of Ontario. If, however, approval of the works by the International Joint Commission is not obtained within three years from the date of this Agreement either party hereto may, by written notice to the other, forthwith cancel this Agreement.

IN WITNESS WHEREOF the Right Honourable Louis S. St. Laurent, Prime Minister, and the Honourable Lionel Chevrier, Minister of Transport, have hereunto set their hands on behalf of Canada and the Honourable Leslie M. Frost, Premier, and the Honourable George H. Challies, Acting Provincial Secretary, have hereunto set their hands on behalf of Ontario; both upon the third day of December, 1951.

(Sgd.) LOUIS S. ST. LAURENT.  
" LIONEL CHEVRIER.  
" LESLIE M. FROST.  
" GEO. H. CHALLIES.

## ANNEX TO THE CANADA-ONTARIO AGREEMENT

*(See ARTICLE II)*

The main features of the Controlled Single Stage Project (238-242) subject to modification pursuant to Article II, are as follows:—

- (1) A control dam in the vicinity of Iroquois Point.
- (2) A dam in the Long Sault Rapids at the head of Barnhart Island and two powerhouses, one on either side of the international boundary, at the foot of Barnhart Island.
- (3) Dykes, where necessary, on the United States and Canadian sides of the international boundary, to retain the pool level above the Long Sault Dam.
- (4) Channel enlargement from above Chimney Point to below Lotus Island designed to give a maximum mean velocity in any cross section of the channel which will ultimately be used for navigation not exceeding four feet per second at any time and between Lotus Island and the control dam and from above Point Three Point to below Ogden Island designed to give a maximum mean velocity in any cross section not exceeding two and one-quarter feet per second with the flow and at the stage to be permitted on the first of January of any year, under regulation of outflow and levels of Lake Ontario in accordance with Regulation Method No. 5, as prepared by the General Engineering Branch, Department of Transport, Canada, dated Ottawa, September, 1940.
- (5) Channel enlargement in the channels north and south of Cornwall Island equivalent in volume to that proposed in Features 33 and 34 as described in the Final Report on the St. Lawrence River Project by the Chief of Engineers, U.S. Army, dated April, 1942, and shown in outline on Drawing CC-R-1/1, Appendix III-O(1), to the Final Report referred to above.
- (6) The necessary railroad and highway modifications on either side of the international boundary.
- (7) The necessary works to permit the continuance of fourteen-foot navigation on the Canadian side around the control dam and from the pool above the Long Sault Dam to connect with the existing Cornwall Canal.
- (8) The Rehabilitation of the Towns of Iroquois and Morrisburg, Ontario.

All the works in the pool below the control dam shall be designed to provide for full Lake Ontario level but initially the pool shall be operated at maximum elevation 238-0.



## CHAPTER 43

**An Act to amend The Interpretation Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 7 of *The Interpretation Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 184, s. 7,  
amended.

(2) Every proclamation issued by the Lieutenant-Governor shall be judicially noticed by all judges, justices of the peace, and others, without being specially pleaded. Idem

**2.** Section 28 of *The Interpretation Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 184, s. 28,  
amended

(hh) where the time limited for any proceeding or for the doing of any thing in any office of a local registrar of the Supreme Court, or any office of the Supreme Court at Osgoode Hall, or any county or district court office, or any surrogate court office, or any division court office, or any registry office, or any land titles office, or any sheriff's office expires or falls upon a Saturday, the time so limited shall extend to and the thing may be done on the day next following which is not a holiday. computation  
of time where  
time limited  
expires on  
a Saturday

**3.** Section 2 comes into force on the 1st day of May, 1952. Commence-  
ment

**4.** This Act may be cited as *The Interpretation Amendment Act, 1952*. Short title





## CHAPTER 44

## An Act to amend The Judicature Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Judicature Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 190,  
amended

## WEEKLY COURTS

44a.—(1) Sittings of the High Court shall be held in accordance with the rules of court at Ottawa and London and at such other places as such rules may provide on at least one day in each week, except during vacation. Ottawa,  
London, etc.

(2) Nothing in subsection 1 shall affect any other sittings of the High Court. Toronto

**2.** Subsection 2 of section 60 of *The Judicature Act* is repealed. Rev. Stat.,  
c. 190, s. 60,  
subs. 2,  
repealed

**3.** Section 89 of *The Judicature Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 190, s. 89,  
re-enacted

89. Except on Saturdays and holidays when they shall be closed, every local registrar's office and the offices of the Supreme Court at Osgoode Hall shall be kept open from 9.30 a.m. until 4.30 p.m. Office hours

**4.** Notwithstanding section 2, subsection 2 of section 60 of *The Judicature Act* remains in force as regards and is applicable to every case that is commenced before this Act comes into force. Pending  
cases

**5.** Section 3 comes into force on the 1st day of May, 1952. Commence-  
ment

**6.** This Act may be cited as *The Judicature Amendment Act, 1952*. Short title



## CHAPTER 45

**An Act to incorporate The Ontario Junior Farmer Establishment Loan Corporation for the Purpose of Assisting Young Farmers**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) There is hereby constituted on behalf of Her <sup>Corporation constituted</sup> Majesty in right of Ontario a body corporate and politic, without share capital, with the name "The Ontario Junior Farmer Establishment Loan Corporation", herein called "the Corporation", having as its object the making of loans to assist young qualified farmers in the establishment, development and operation of their farms.

(2) The Corporation shall be composed of three members <sup>Membership</sup> who shall hold office as members during the pleasure of the Lieutenant-Governor in Council and who shall be such officers in the public service of Ontario as the Lieutenant-Governor in Council may from time to time appoint.

(3) The three members for the time being of the Corporation <sup>Board of directors</sup> shall form and be its board of directors and the Lieutenant-Governor in Council shall designate one of them as chairman and one of them as vice-chairman of the board.

(4) Subject to the regulations, the affairs of the Corporation <sup>Management</sup> shall be under the management and control of the board of directors and in the absence of the chairman, or if at any time that office is vacant, the vice-chairman shall have all the powers and perform the duties of the chairman.

(5) In the administration of the affairs of the Corporation, <sup>Administration</sup> the board of directors shall be assisted by such persons in the public service of Ontario as the Treasurer of Ontario may assign for the purpose.

2.—(1) To carry out its object the Corporation has power, <sup>Borrowing powers</sup> with the approval of the Lieutenant-Governor in Council and

subject

subject to the regulations, to raise from time to time, by way of loan, any sum or sums of money not exceeding in the aggregate \$10,000,000 outstanding at any one time, and such loans may be made in any or all of the following ways or partly in one and partly in another or others:

debentures

- (a) by the issue and sale of debentures of the Corporation issued in such form and denominations and at such rate of interest and with the principal and interest thereof payable at such periods, times and places as the Lieutenant-Governor in Council deems expedient and as the regulations may provide;

bills and notes

- (b) by the issue and sale of treasury bills or notes of the Corporation issued in such form and denominations and at such rate of interest and with the principal and interest thereof payable at such periods, times and places as the Lieutenant-Governor in Council deems expedient and as the regulations may provide;

temporary loans

- (c) by temporary loans as the Lieutenant-Governor in Council deems expedient and as the regulations may provide.

Refunding of loans, etc.

(2) Subject to the aggregate sum of \$10,000,000 outstanding at any one time mentioned in subsection 1 not being exceeded, the Corporation has power, with the approval of the Lieutenant-Governor in Council and subject to the regulations, to raise from time to time, by way of loan and by any of the ways set forth in subsection 1, any sum or sums of money for any one or more of the following purposes:

- (a) payment, retirement, refunding or renewal of the whole or any part of any debentures, bills or notes issued by the Corporation under clause *a* or *b* of subsection 1; and
- (b) payment, retirement, refunding or renewal of the whole or any part of any temporary loan made by the Corporation under clause *c* of subsection 1.

Debentures to be redeemable before maturity

**3.** Every debenture issued by the Corporation shall be expressed to be redeemable, at the option of the Corporation, on any date prior to maturity according to the mode, terms, periods, times and places of redemption approved by the Lieutenant-Governor in Council and as the regulations may provide.

Debentures to state source of authorization

**4.** Every debenture, bill or note issued by the Corporation shall contain a statement in the body thereof that it is issued under

under the authority of this Act, and no debenture, bill or note purporting to be issued by the Corporation shall be valid unless such statement is so contained.

5. Every advertisement for the sale by the Corporation of any of its debentures, bills or notes shall contain a statement that the issue and sale of the debentures, bills or notes are made under the authority of this Act. Advertisement of sale to state source of authorization

6. Where a debenture, bill or note of the Corporation is defaced, lost or destroyed, the board of directors may provide for its replacement on such terms as to evidence and as to indemnity as the board may require. Lost debentures

7.—(1) The Lieutenant-Governor in Council may authorize the Treasurer of Ontario to guarantee payment by the Province of any debentures, bills or notes issued by or of any temporary loan made to the Corporation under the authority of this Act. Guarantee of payment by Province

(2) The form of guaranty and the manner of execution shall be determined by the Lieutenant-Governor in Council. Form of guaranty

(3) Every guaranty given or purporting to be given under the authority of this section shall be binding upon the Province and shall not be open to question upon any ground whatsoever. Validity of guaranty

(4) Any debenture, bill or note issued by or temporary loan made to the Corporation, payment whereof is guaranteed by the Province under this section, shall be valid and binding upon the Corporation, its successors and assigns according to its terms, and the validity of any debenture, bill or note or temporary loan so guaranteed shall not be open to question on any ground whatsoever. Guaranteed debentures, etc., to be indefeasible

8. Notwithstanding anything in any other Act, debentures issued by the Corporation shall be at all times a lawful investment for municipal, school and trust funds. Trustees, etc., investments in debentures

9. The books and accounts of the Corporation shall be audited annually by the provincial Auditor or such other auditor as the Lieutenant-Governor in Council may designate and such auditor shall make an annual report of the audit to the Treasurer of Ontario, and the Treasurer shall table the report in the Assembly if it is in session, or if it is not, then at the next ensuing session. Audit

10. The Corporation shall make an annual report in writing to the Treasurer of Ontario showing in detail the number and amount of loans made by it during the last preceding fiscal year, and containing such other particulars Annual report



as the Treasurer requires, and the Treasurer shall table the report in the Assembly if it is in session, or if it is not, then at the next ensuing session.

**Committees**

**11.** The Corporation, with the approval of the Lieutenant-Governor in Council, may appoint committees, each of which shall be composed of two or more persons, one of whom is or has been a practical farmer, to consider and report to the Corporation upon applications and upon problems that may arise in connection with loans already made.

**Purposes  
of loans**

**12.** Out of the moneys at its disposal from time to time, the Corporation may make loans for the following purposes and no other:

- (a) the acquisition of land for agricultural purposes;
- (b) the erection and improvement of farm houses and farm buildings;
- (c) to pay off charges existing against land at the time of acquisition by the borrower under a will or by descent;
- (d) to pay off encumbrances;
- (e) to consolidate outstanding liabilities incurred for productive agricultural purposes;
- (f) for the purpose of providing drainage;
- (g) to purchase live stock;
- (h) for such other purposes relating to the establishment, development and operation of the applicant's farm as the Corporation approves.

**Qualifica-  
tions of  
applicants  
for loans**

**13.** Every applicant for a loan under this Act may be required to appear in person before the board of directors of the Corporation or a committee and shall submit evidence to the satisfaction of the board or committee,

- (a) that he is of the full age of twenty-one years and not more than thirty-five years of age;
- (b) that he has been resident in Ontario for at least three years immediately preceding his application;
- (c) that he has had a minimum of three years experience in farming and has displayed the ability and capacity necessary to operate a farm;

(d)



(d) that he is industrious and of good character;

(e) that he is actually farming, or intends to farm, on a full-time basis on the land upon the security of which the loan is applied for.

**14.**—(1) Before making a loan under this Act, the Corporation shall secure a report from a competent valuator as to the value of the security offered by the applicant. <sup>Valuator's report</sup>

(2) The land and buildings shall be valued on the basis of their value for agricultural purposes. <sup>Mode of valuing</sup>

(3) The buildings upon the land shall be insured to their full insurable value. <sup>Insurance</sup>

**15.** Where the Corporation is satisfied that the conditions of this Act and the regulations have been complied with, the Corporation may make a loan to the applicant to the extent of 80 per cent of the value of the security as shown by the valuator's report. <sup>Extent of loan</sup>

**16.** No loan shall exceed \$15,000, and every loan shall be secured by a first mortgage upon the lands farmed or to be farmed by the borrower. <sup>Limitation as to loan and security therefor</sup>

**17.** At the time of or subsequent to the making of a loan, the Corporation may accept as collateral security therefor a life insurance policy or an assignment thereof, a chattel mortgage, or any other security which the Corporation deems proper. <sup>Collateral security</sup>

**18.**—(1) Except as hereinafter provided, every loan made under this Act shall be repayable in annual instalments of principal and interest sufficient to discharge the debt at the end of such period as may be agreed upon, but no loan shall be made for more than twenty-five years. <sup>Loan, how repayable</sup>

(2) The first three annual instalments of principal and interest may be graduated so that the first instalment is less than the second, the second less than the third and the third less than the subsequent instalments, which shall be equal. <sup>Graduated annual instalments</sup>

(3) Payments on account of the loan, in addition to those provided for in the mortgage or agreement, may be made at any time. <sup>Payments may be accelerated</sup>

(4) The Corporation may accept a release of the equity of redemption existing by virtue of a mortgage to it and may sell any mortgaged property that it has thus acquired or

which

which it is empowered to sell by virtue of the power of sale contained in a mortgage, at such price and upon such terms as it deems proper.

Delay in  
payments

(5) When a sale has been made by the Corporation under the powers of sale contained in a mortgage and the purchase money or part thereof is secured by an agreement for sale and any instalment, whether for principal or interest payable under the agreement for sale, is not punctually paid, or if the purchaser makes default in the performance of any of the terms of such agreement, the Corporation, without any formal re-entry or taking of possession and without resorting to proceedings in equity or at law, may, upon ten days notice in writing to the purchaser directed by mail to him at his last known address, rescind such agreement and resell or otherwise deal with the property as provided for in the mortgage, to the same extent as if the agreement for sale had not been entered into.

Mortgages,  
how made

Rev. Stat.,  
c. 362

**19.** Every mortgage made under this Act shall be made in accordance with *The Short Forms of Mortgages Act*, and may contain such further covenants, provisoes and conditions as the Corporation deems proper, and the Corporation has and may exercise all the rights, powers and remedies with respect to any mortgage made under this Act as a mortgagee has under the laws of Ontario.

Sale of  
mortgaged  
land

**20.** It shall be a term of every mortgage taken as security for a loan under this Act that upon the sale of the land mortgaged, the loan shall, at the option of the Corporation, immediately become due and payable.

Prepara-  
tion of  
notices,  
mortgages,  
etc.

**21.** All notices, mortgages, discharges or other documents under this Act shall be prepared by the Corporation or by a person designated by the Corporation.

Where  
money  
misapplied

**22.** If at any time in the opinion of the board of directors of the Corporation any money advanced under this Act has not been or is not being applied for the purpose for which it was advanced, or is not being carefully and economically expended, or if the security depreciates in value, the Corporation may refuse to make any further advance and call in the whole amount then advanced and all interest thereon and declare the same to be immediately due and payable, whereupon the borrower shall at once repay the same with interest at the rate set forth in the mortgage, and in default of payment the Corporation shall have the like remedies for recovery of the same as if the time for repayment thereof had fully arrived.

Corporation  
to secure  
reports  
as to con-  
ditions  
of secur-  
ities

**23.** The Corporation from time to time shall secure reports as to the condition of any securities taken by it for

loans

loans under this Act and as to the progress and prospects of the borrowers, and for this purpose any governmental agency may co-operate with the Corporation by rendering assistance of an educational or other nature that appears calculated to facilitate the success of the borrower.

**24.** The Lieutenant-Governor in Council may make regulations governing, <sup>Regulations</sup>

- (a) the management, control and administration of the affairs of the Corporation;
- (b) the issue and sale of debentures, bills or notes and the making of temporary loans by the Corporation;
- (c) the payment, retirement, refunding or renewal of debentures, bills or notes issued and loans made by the Corporation;
- (d) the redemption before maturity of any debentures issued by the Corporation;
- (e) the registration of debentures issued by the Corporation and the keeping of debenture registers in connection therewith;
- (f) the guarantee of payment by the Province of any debentures, bills or notes issued and loans made by the Corporation, and the form and manner of execution of any guaranty of payment;
- (g) the manner in which applications for loans are to be made and the form thereof;
- (h) the fees and expenses payable by applicants and borrowers under this Act;
- (i) the terms and conditions of loans;
- (j) any other matter necessary or advisable to carry out effectively the intent and purpose of this Act.

**25.** This Act shall be administered by the member of the Executive Council to whom it is assigned by the Lieutenant-Governor in Council. <sup>Administration of Act</sup>

**26.** The cost of administration of this Act shall be paid out of the Consolidated Revenue Fund. <sup>Cost of administration</sup>

Commence-  
ment

**27.** This Act comes into force on the day it receives Royal Assent.

Short  
title

**28.** This Act may be cited as *The Junior Farmer Establishment Act, 1952*.

## CHAPTER 46

## An Act to amend The Jurors Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 17 of *The Jurors Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 191, s. 17,  
subs. 1,  
re-enacted

(1) The local selectors shall,

Manner in  
which local  
selectors to  
make list  
from which  
to select  
jurors

- (a) from the certified voters' list prepared for the municipality in the year; or
- (b) if the list has not been certified, then from the voters' list published by the clerk of the municipality in the year; or
- (c) if the list has not been published, then from the assessment roll of the municipality returned in the year; or
- (d) if the assessment roll has not been returned, then from the last revised assessment roll of the municipality,

write down twice as many of the names of the persons appearing by the assessment roll to be possessed of the requisite property qualification and otherwise qualified to serve as jurors, as have been required by the county selectors to be selected and returned from the municipality; and the proper assessment roll shall in all cases be referred to by the local selectors for the purpose of determining who are exempt or disqualified from acting as jurors, and for such other purposes as are necessary in the discharge of their duty.

**2.** Subsection 1 of section 64 of *The Jurors Act* is amended by striking out the words "not being special juries" in the second line, so that the subsection shall read as follows:

Rev. Stat.,  
c. 191, s. 64,  
subs. 1,  
amended



Jurors to  
be sum-  
moned  
10 or 15  
days before  
attendance  
required

- (1) The sheriff shall summon every person drafted to serve on grand juries or petit juries, by sending to him by registered mail a notice in writing (Form 3, Schedule D) under the hand of the sheriff, at least 10 days in the case of a county and at least 15 days in the case of a provisional judicial district before the day upon which the person is to attend, but when the sheriff is directed to draft and summon additional jurors under this Act, such 10 or 15 days service, as the case may be, shall not be necessary.

Rev. Stat.,  
c. 191, ss. 65,  
77, 79-86,  
repealed

- 3.** Sections 65, 77, 79, 80, 81, 82, 83, 84, 85 and 86 of *The Jurors Act* are repealed.

Rev. Stat.,  
c. 191, s. 88,  
amended

- 4.** Section 88 of *The Jurors Act* is amended by striking out the words "the drafting of panels from the jury lists, or the striking of special juries" in the fourth and fifth lines and inserting in lieu thereof the words "or the drafting of panels from the jury lists", so that the section shall read as follows:

Omissions  
to observe  
this Act not  
to vitiate  
the verdict

88. The omission to observe any of the provisions of this Act as respects the qualification, selection, balloting and distribution of jurors, the preparation of the jurors' book, the selecting of jury lists from the jurors' rolls, or the drafting of panels from the jury lists shall not be a ground of impeaching the verdict or judgment in any action.

Rev. Stat.,  
c. 191, s. 95;  
Sched. B,  
Form 10,  
repealed

- 5.** Section 95 and Form 10 of Schedule B of *The Jurors Act* are repealed.

Pending  
cases

- 6.** Notwithstanding sections 2, 3, 4 and 5, all the provisions of *The Jurors Act* respecting special juries remain in force as regards and are applicable to every case that is commenced before this Act comes into force.

Short title

- 7.** This Act may be cited as *The Jurors Amendment Act, 1952*.



## CHAPTER 47

## The Justices of the Peace Act, 1952

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Every judge of the Supreme Court of Canada, of the Exchequer Court of Canada, and of the Supreme Court of Ontario, and every judge and junior judge of a county or district court is *ex officio* a justice of the peace for every part of Ontario and as such has power to do alone whatever is authorized to be done by two or more justices of the peace. R.S.O. 1950, c. 192, s. 1 (1).

**2.—(1)** Subject to subsection 2, the Lieutenant-Governor by commission under the Great Seal pursuant to an Order in Council may appoint justices of the peace in and for Ontario or any part thereof. R.S.O. 1950, c. 192, s. 2.

**(2)** Any person, other than a barrister or solicitor, desirous of being appointed a justice of the peace shall be examined in regard to his qualifications for the office by the judge of the county or district court of the county or district in which he resides, or by such other person as may be appointed in that behalf by the Lieutenant-Governor in Council, and no such person shall be appointed a justice of the peace without a certificate from such judge or other person that he has examined the applicant and finds him qualified for the office and that in his opinion a justice of the peace is needed for the public convenience in matters pertaining to the administration of justice. R.S.O. 1950, c. 192, s. 3 (1).

**3.** All former general commissions of the peace are void upon the issue of a new general commission of the peace, but nothing in this Act prevents the re-appointment of any justice of the peace named in a former commission if the Lieutenant-Governor in Council thinks fit, and the issue of a supplementary commission of the peace does not operate as a revocation of a general commission. R.S.O. 1950, c. 192, s. 4.

## Oaths

**4.—(1)** Every justice of the peace appointed, before acting, shall take the following oath:

I, *A.B.*, of the ..... of .....  
in the County (or District) of ..... do swear  
that I will well and truly serve our Sovereign Lady Queen  
Elizabeth (or the reigning Sovereign for the time being) in the  
office of justice of the peace, and I will do right to all manner  
of people according to law, without fear or favour, affection or  
ill will. So help me God.

*A.B.*

Sworn before me, etc.

Rev. Stat.,  
c. 311

and also the oath of allegiance as required by *The Public Officers Act*. R.S.O. 1950, c. 192, s. 8 (1), *amended*.

Filing  
oaths

(2) The oath of office and oath of allegiance shall be transmitted forthwith to the Inspector of Legal Offices and shall be filed in his office. R.S.O. 1950, c. 192, s. 8 (3), *amended*.

Power to  
take  
oaths

Rev. Stat.,  
c. 57

**5.** Every justice of the peace shall have the same power to administer oaths, affirmations and declarations as a commissioner appointed under *The Commissioners for taking Affidavits Act*. R.S.O. 1950, c. 192, s. 9.

Use of  
hall

**6.** A justice of the peace may use any court room or municipal hall for the hearing of cases brought before him, but not so as to interfere with its ordinary use. R.S.O. 1950, c. 192, s. 10, *amended*.

Powers  
of justices  
of the  
peace

**7.—(1)** A justice of the peace acting within his territorial jurisdiction,

(a) may take informations or issue search warrants or summonses or warrants returnable before a magistrate; and

(b) may hear and determine prosecutions under municipal by-laws. R.S.O. 1950, c. 192, s. 11 (1).

Limitation  
of power

(2) Except as provided in subsection 1, a justice of the peace shall not act in any case except under the direction of a magistrate. R.S.O. 1950, c. 192, s. 11 (2), *amended*.

Returns of  
convictions,  
etc.

**8.** Where a justice of the peace tries any offence,

(a) under a municipal by-law; or

(b) under the direction of a magistrate,

he shall make such returns as the Inspector of Legal Offices directs. R.S.O. 1950, c. 192, s. 12 (1), *amended*.

Fees in  
certain  
cases not  
otherwise  
provided for

**9.** In cases not provided for by the *Criminal Code* (Canada) and *The Summary Convictions Act*, the Lieutenant-Governor in Council may prescribe the fees and allowances to be paid

by

by a county, or, in the case of a provisional judicial district, by the Province, to a justice of the peace not receiving a salary. R.S.O. 1950, c. 192, s. 13, *amended*. R.S.C. 1927,  
c. 36  
Rev. Stat.,  
c. 379

**10.** The Lieutenant-Governor in Council may assign any justice of the peace to any city and fix his salary which shall be paid by the city. R.S.O. 1950, c. 192, s. 15, *amended*. Assign-  
ment of  
justices of  
the peace  
to cities

**11.** Where a person who is a justice of the peace is employed on salary in any capacity connected with a magistrate's court, the authority which employs and pays him in such capacity may require him to pay over to it all or such portion as it determines of the fees collected by him as a justice of the peace, and where his salary is paid out of the revenues of the magistrate's court such fees or the portion thereof so determined shall be paid over by him to the magistrate and shall form part of the moneys that accrue to the treasurer of the municipality. *New*. Dual  
offices

**12.** *The Justices of the Peace Act* and *The Justices of the Peace Amendment Act, 1951* are repealed. Rev. Stat.,  
c. 192;  
1951, c. 42,  
repealed

**13.** This Act comes into force on the 1st day of July, 1952. Commence-  
ment

**14.** This Act may be cited as *The Justices of the Peace Act, 1952*. Short  
title



## CHAPTER 48

# An Act to amend The Juvenile and Family Courts Act

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 1 of section 1 of *The Juvenile and Family Courts Act* is repealed and the following substituted therefor: Rev. Stat., c. 193, s. 1, subs. 1, re-enacted

(1) In every city, town or county, or in a district composed of two or more counties, in which *The Juvenile Delinquents Act, 1929* (Canada) is proclaimed, there shall be a court of record to be known as the “juvenile court” of the city, town, county or district, as the case may be. Establishment of courts 1929, c. 46 (Can.)

(2) Subsection 2 of the said section 1 is amended by striking out the words “or county” in the third line and inserting in lieu thereof the words “county or district”, so that the subsection shall read as follows: Rev. Stat., c. 193, s. 1, subs. 2, amended

(2) The court shall have jurisdiction within such territory, in addition to the area included within the limits of such city, town, county or district, as the Lieutenant-Governor in Council may from time to time designate. Idem

**2.** Section 10 of *The Juvenile and Family Courts Act* is amended by adding thereto the following subsections: Rev. Stat., c. 193, s. 10, amended

(4) Where a juvenile court has been established for a county or for a district composed of two or more counties, the county or counties and every city and town in such county or counties, as the case may be, shall pay such proportion of the cost of the court as may be mutually agreed upon, or failing agreement, as may be determined by arbitration. Costs of court, agreement or arbitration

## Arbitration

- (5) For the purposes of an arbitration under subsection 4, a judge of a county court of a county other than a county interested in the proceedings shall be sole arbitrator.

Procedure  
and appealsRev. Stat.,  
c. 244

- (6) The provisions of *The Municipal Arbitrations Act* as to procedure and appeals shall apply to arbitrations held and awards made under subsection 4.

Rev. Stat.,  
c. 193,  
amended

- 3.** *The Juvenile and Family Courts Act* is amended by adding thereto the following section:

Provincial  
aid

- 10a. The Lieutenant-Governor in Council may direct payment out of the Consolidated Revenue Fund to any municipality of such portion of the cost of a juvenile court as he may determine.

Commence-  
ment

- 4.** This Act comes into force on the 1st day of April, 1952.

## Short title

- 5.** This Act may be cited as *The Juvenile and Family Courts Amendment Act, 1952*.



## CHAPTER 49

**An Act to amend The Land Titles Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 28 of *The Land Titles Act* is amended by inserting after the word "to" where it occurs the first time in the first line the words "or any right or interest in", so that the subsection shall read as follows:

Rev. Stat.,  
c. 197, s. 28,  
subs. 1,  
amended

- (1) A title to or any right or interest in any land adverse to or in derogation of the title of the registered owner shall not be acquired by any length of possession.

No title by  
adverse  
possession

2. Subsections 4 and 5 of section 74 of *The Land Titles Act* are repealed and the following substituted therefor:

Rev. Stat.,  
c. 197, s. 74,  
subss. 4, 5,  
re-enacted

- (4) Every caution heretofore or hereafter lodged under this section shall cease to have effect five years from the date of lodging the caution unless renewed within that time, and every caution lodged five years or more before the 1st day of May, 1952, unless renewed before the 1st day of May, 1953, shall cease to have effect on and after the 1st day of May, 1953.

Renewal and  
expiration  
of caution

- (5) Subsection 4 shall not apply unless, at least thirty days before the caution ceases to have effect, the proper master of titles sends to the cautioner by registered mail a notice warning him that his caution will cease to have effect unless renewed.

Notice

- (6) If a notice is not sent as required by subsection 5, the proper master of titles may, at any later time, send to the cautioner by registered mail a notice warning him that his caution will cease to have effect after the expiration of thirty days from the receipt of the notice unless renewed within that period, and if the caution is not renewed within that period, it shall cease to have effect.

Idem

Removal  
from register

- (7) When a caution ceases to have effect, the proper master of titles may remove the entry from the register.

Rev. Stat.,  
c. 197, s. 101,  
amended

- 3.** Section 101 of *The Land Titles Act* is amended by adding thereto the following subsection:

Removal of  
entry of  
condition or  
covenant  
from register

- (5) Where a condition or covenant has been entered on the register as annexed to or running with land for a fixed period and the period has expired, the proper master of titles may, at any time after ten years from the expiration of the period, remove the entry from the register.

Rev. Stat.,  
c. 197,  
amended

- 4.** *The Land Titles Act* is amended by adding thereto the following section:

Office hours

- 134a. Except on Saturdays and holidays when they shall be closed, every land titles office shall be kept open from 9.30 a.m. until 4.30 p.m.

Commence-  
ment

- 5.** This Act comes into force on the 1st day of May, 1952.

Short title

- 6.** This Act may be cited as *The Land Titles Amendment Act, 1952*.

## CHAPTER 50

## An Act to amend The Law Stamps Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 5 of *The Law Stamps Act* is amended by adding thereto the following subsections:

Rev. Stat.,  
c. 201, s. 5,  
amended

  - (2) This section does not apply in respect of any paper or proceeding referred to in subsection 1 that is filed, issued or delivered by Her Majesty in right of Ontario, whether filed, issued or delivered in the name of Her Majesty, a minister of the Crown, an official of the Crown, or any other person.

Exception  
as to Crown  
documents
  - (3) Where the amount of a fee payable on a paper or proceeding referred to in subsection 1 is more than \$500, the Treasurer, upon the recommendation of the Inspector of Legal Offices, may allow the fee to be paid direct to the Treasurer, in which case the official receipt of the Treasurer for such payment shall represent the stamps that would otherwise be required and it shall be affixed to the paper or proceeding requiring the payment of the fee in lieu of the stamps.

Where fee  
over \$500
2. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment
3. This Act may be cited as *The Law Stamps Amendment Act, 1952*.

Short title



## CHAPTER 51

**An Act to amend The Legislative Assembly Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *a* of subsection 1 of section 60 of *The Legislative Assembly Act* is amended by striking out the symbol and figures “\$2,000” and inserting in lieu thereof the symbol and figures “\$2,600”, so that the clause shall read as follows: Rev. Stat.,  
c. 202, s. 60,  
subs. 1, cl. *a*  
amended

(a) an indemnity at the rate of \$2,600 per annum; and

. . . . .

(2) Clause *b* of subsection 1 of the said section 60 is amended by striking out the symbol and figures “\$1,000” in the first line and inserting in lieu thereof the symbol and figures “\$1,300”, so that the clause shall read as follows: Rev. Stat.,  
c. 202, s. 60,  
subs. 1, cl. *b*,  
amended

(b) an allowance for expenses at the rate of \$1,300 per annum.

**2.** Clause *a* of subsection 1 of section 61 of *The Legislative Assembly Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 202, s. 61,  
subs. 1, cl. *a*,  
re-enacted

(a) to the Speaker,

(i) an indemnity at the rate of \$3,000 per annum,  
and

(ii) an allowance for expenses at the rate of \$2,000  
per annum; and

. . . . .

**3.** Clause *a* of section 64 of *The Legislative Assembly Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 202, s. 64,  
cl. *a*, re-  
enacted

(a)

- (a) in respect of four trips per annum from his place of residence to the seat of government at Toronto; and
- . . . . .

Special  
exception  
to Rev. Stat.,  
c. 202, s. 8

**4.** Notwithstanding anything in *The Legislative Assembly Act*, the appointment of a member of the Ontario Provincial-Municipal Relations Committee, if he is a member of the Assembly, shall not be avoided by reason of the payment to him or the acceptance by him of any allowance for expenses or otherwise in connection with his services as a member of such Committee, nor shall he thereby vacate or forfeit his seat in the Assembly or incur any of the penalties imposed by that Act for sitting and voting as a member of the Assembly.

Commence-  
ment

**5.** This Act comes into force on the 1st day of April, 1952.

Short title

**6.** This Act may be cited as *The Legislative Assembly Amendment Act, 1952*.



## CHAPTER 52

# An Act to amend The Loan and Trust Corporations Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 76 of *The Loan and Trust Corporations Act* Rev. Stat., c. 214, s. 76, amended is amended by adding thereto the following subsections:

- (4) Not more than three years after the date on which a common trust fund is established, and triennially thereafter, the trust company maintaining such fund shall file and pass an account of its dealings with respect thereto in the office of the surrogate court of the county or district in which the fund is being administered, and the judge of the surrogate court, on the passing of such account, shall, subject to this section, have the same duties and powers as in the case of the passing of executors' accounts. Common trust fund, passing of accounts
- (5) A trust company may at any time file and pass in the office of the surrogate court as aforesaid an account of its dealings with a common trust fund for any period of less than three years, but no subsequent accounting shall be for a period of more than three years. Period for which accounts passed
- (6) Notwithstanding any other Act or law, a trust company shall not be required to render an account of its dealings with a common trust fund except as provided in this section or the regulations. Accounting only necessary under this section or regulations
- (7) Upon the filing of an account pursuant to this section, the judge of the surrogate court shall fix a time and place for the passing of the account, and the trust company shall cause a written notice of such appointment and a copy of the account to be served upon the Registrar at least fourteen days before the date fixed for the passing, and the trust company shall not be required to give any other notice of the appointment. Time and place for passing of account

Form of  
account

- (8) For the purposes of any such accounting an account may be filed in the form of audited accounts filed with the Registrar pursuant to regulations made under this section.

Registrar to  
represent  
persons  
having in-  
terest in  
fund

- (9) Upon the passing of an account pursuant to this section, the Registrar shall represent all persons having an interest in the funds invested in the common trust fund, but any such person shall have the right at his own expense to appear personally or to be separately represented.

Approval  
of judge

- (10) Where an account filed pursuant to this section has been approved by the judge of the surrogate court, such approval, except so far as mistake or fraud is shown, shall be binding and conclusive upon all interested persons as to all matters shown in the account and as to the trust company's administration of the common trust fund for the period covered by the account.

Costs

- (11) The costs of passing an account pursuant to this section shall be charged to principal and income of the common trust fund in such proportions as the judge of the surrogate court deems proper. '

Short title

**2.** This Act may be cited as *The Loan and Trust Corporations Amendment Act, 1952*.

## CHAPTER 53

**The Magistrates Act, 1952**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

(a) "Inspector" means Inspector of Legal Offices;

(b) "magistrate" includes deputy magistrate. R.S.O. 1950, c. 219, s. 1, *amended*.

**2.** The Lieutenant-Governor in Council may appoint magistrates. R.S.O. 1950, c. 219, s. 2 (1).

Appoint-  
ment

**3.—(1)** Except as provided in subsection 2, magistrates shall hold office during pleasure.

Tenure of  
office

(2) A magistrate who has held office for two years may be removed from office before attaining retirement age only for misbehaviour or for inability to perform his duties properly and only if,

Idem

(a) the circumstances respecting the misbehaviour or inability are first inquired into; and

(b) the magistrate is given reasonable notice of the time and place appointed for the inquiry and is afforded an opportunity, by himself or his counsel, of being heard and of cross-examining the witnesses and of producing evidence on his own behalf.

(3) The Lieutenant-Governor in Council, for the purpose of making an inquiry under subsection 2, may appoint one or more judges of the Supreme Court to make such inquiry and to report thereon, and a judge so appointed shall have all the powers that may be conferred upon a commissioner under *The Public Inquiries Act*.

Appoint-  
ment of  
judge to  
inquire

Rev. Stat.,  
c. 308

Order to  
be laid  
before  
Assembly

(4) Where a magistrate is removed from office under this section, the order effecting the removal and all reports, evidence and correspondence relating thereto shall be laid before the Assembly by the Attorney-General within the first fifteen days of the next ensuing session.

Application  
of subss.  
2, 3, 4

(5) Subsections 2, 3 and 4 do not apply to deputy magistrates. R.S.O. 1950, c. 219, s. 4, *amended*.

Retire-  
ment

4.—(1) Except as provided in subsection 2, magistrates shall cease to hold office upon attaining the age of seventy years.

Idem

(2) Magistrates holding office on the 1st day of July, 1941, shall cease to hold office upon attaining the age of seventy-five years. R.S.O. 1950, c. 219, s. 3.

Idem

Rev. Stat.,  
c. 317

(3) Notwithstanding anything in this Act or in section 34 of *The Public Service Act*, either the provisions of this Act or of *The Public Service Act* as to retirement age, as he may elect, shall apply to any magistrate appointed before this Act comes into force.

Idem

(4) Notwithstanding anything in this Act or in section 34 of *The Public Service Act*, the provisions of *The Public Service Act* as to retirement age shall apply to magistrates appointed after this Act comes into force. *New*.

Re-appoint-  
ment of  
retired  
magistrates

5. A person who has ceased to hold office as a magistrate by reason of having attained retirement age may be re-appointed as a magistrate to hold office during pleasure at a salary not greater than that received immediately before retirement, but in any event he shall cease to hold office upon attaining the age of seventy-five years. R.S.O. 1950, c. 219, s. 5 (1).

Oaths to  
be taken

6.—(1) A magistrate before acting shall take the following oath of office:

I, A.B., of the.....of.....,  
in the County (or District) of....., do swear  
that I will well and truly serve our Sovereign Lady Queen  
Elizabeth (or the reigning Sovereign for the time being) in the  
office of magistrate (or deputy magistrate, as the case may be),  
and I will do right to all manner of people according to law,  
without fear or favour, affection or ill will. So help me God.  
A.B.

Sworn before me, etc.

Rev. Stat.,  
c. 311

and also the oath of allegiance as required by *The Public Officers Act*.

Filing of  
oaths

(2) The oath of office and the oath of allegiance shall be transmitted forthwith to the Inspector and shall be filed in his office. R.S.O. 1950, c. 219, s. 9.

**7.** A magistrate has jurisdiction to act at any place in Ontario. R.S.O. 1950, c. 219, s. 8, *amended*. Jurisdiction

**8.** A magistrate is *ex officio* a justice of the peace. R.S.O. 1950, c. 219, s. 10 (1). Magistrates are justices

**9.** A magistrate sitting as such or as a justice of the peace has power to do alone whatever is authorized to be done by two or more justices of the peace. R.S.O. 1950, c. 219, s. 10 (2). Magistrates have powers of two justices

**10.** A magistrate shall continue to be a police magistrate for the purposes of the *Criminal Code* (Canada). 1934, c. 28, s. 2 (3). Magistrates have powers of police magistrates R.S.C., c. 36

**11.**—(1) A magistrate shall not act as agent, solicitor or counsel in any proceeding before a magistrate or a justice of the peace, and no partner or clerk of a magistrate shall act as agent, solicitor or counsel in any proceeding before him. Prohibition as to practising in magistrates' courts

(2) Unless authorized by the Lieutenant-Governor in Council, a magistrate shall not practise any profession or actively engage in any business, trade or occupation but shall devote his whole time to the performance of his duties as magistrate. R.S.O. 1950, c. 219, s. 11. Prohibition as to engaging in other occupations

**12.** Every judge and deputy judge of a juvenile court is *ex officio* a magistrate but shall act as such only when so directed by the Attorney-General. R.S.O. 1950, c. 219, s. 13. Judges of juvenile courts are magistrates

**13.**—(1) A magistrate shall be paid the salary fixed by the Lieutenant-Governor in Council. R.S.O. 1950, c. 219, s. 14 (1). Salaries, amounts

(2) The salaries and travelling expenses of magistrates shall be payable out of such sums as are appropriated therefor by the Legislature. R.S.O. 1950, c. 219, s. 15 (1), *part*. how payable

**14.** A magistrate may use any court room or municipal hall, but not so as to interfere with its ordinary use. R.S.O. 1950, c. 219, s. 17. Use of court room

**15.** The court rooms, offices, furniture, equipment, supplies and stationery for magistrates shall be such as the Inspector thinks appropriate. R.S.O. 1950, c. 219, s. 19, *amended*. Office supplies, etc.

**16.** The Inspector may authorize a magistrate to employ clerical assistance and may fix the salary. R.S.O. 1950, c. 219, s. 24 (1), cl. (i), *amended*. Clerical assistance



Accounts  
to be  
audited  
Rev. Stat.,  
c. 5

**17.** The accounts relating to the salaries and expenses of magistrates shall be audited under *The Administration of Justice Expenses Act*. R.S.O. 1950, c. 219, s. 21.

Disposal  
of fees

**18.**—(1) Except in the case of a magistrate assigned to a city, every magistrate shall pay over the fees earned by him to the Treasurer of Ontario.

Idem

(2) Every magistrate assigned to a city shall pay over the fees earned by him to the treasurer of the city. *New*.

Deduction  
for  
expenses

**19.** Except in the case of a magistrate assigned to a city, every magistrate, from the total amount of the moneys coming into his hands that would otherwise accrue to the treasurer of a municipality, shall deduct and pay such clerical, stationery, rent and other expenses of his court and office as are approved by the Inspector, and shall pay two-fifths of the balance of such moneys to the Treasurer of Ontario. R.S.O. 1950, c. 219, s. 15 (2).

City  
magistrates

**20.**—(1) The Attorney-General may assign one or more magistrates to a city. R.S.O. 1950, c. 219, s. 8 (1), *amended*.

Senior  
magistrate,  
Toronto

(2) The Attorney-General may designate one of the magistrates assigned to the City of Toronto as senior magistrate for that city. R.S.O. 1950, c. 219, s. 22 (2).

Reimburse-  
ment of  
Province

(3) Where a magistrate is assigned to a city, an amount equal to the amount of his salary, cost-of-living bonus, if any, superannuation credits, if any, and any other allowance that is paid in the first instance by the Province shall be paid quarterly by the city to the Treasurer of Ontario, and if the assignment is for part time only the amount to be paid under this subsection shall be fixed by the Lieutenant-Governor in Council. *New*.

Accommoda-  
tion, etc.

(4) Where a magistrate is assigned to a city, the city shall provide such court room, office, furniture, equipment, supplies, stationery, interpreters and clerical assistance for the magistrate as the Inspector thinks appropriate. R.S.O. 1950, c. 219, ss. 20, 23, *amended*.

Super-  
annuation  
Rev. Stat.,  
c. 317

(5) Where a magistrate who is assigned to a city and who is not entitled to a superannuation allowance under *The Public Service Act* attains retirement age and is retired, the city may provide for the payment to him during his lifetime of an annual sum by way of superannuation allowance. R.S.O. 1950, c. 219, s. 6.

Regula-  
tions

**21.**—(1) The Lieutenant-Governor in Council may make regulations,

(a)



- (a) fixing the period and manner in which the moneys coming into their hands are to be paid over by magistrates;
- (b) specifying the returns to be made by magistrates;
- (c) providing for the safe-keeping and inspection of the books and accounts of magistrates;
- (d) providing for the appointment and employment of stenographic reporters to take down evidence before magistrates, and fixing their salaries, fees, expenses and other forms of remuneration;
- (e) defining the classes of cases in which a stenographic reporter may be employed and the terms and conditions of their employment, and providing for the remuneration of stenographic reporters by the municipal corporation or by the parties to any proceeding before the magistrate as part of the costs in the case, or partly by the one method and partly by the other, and where the remuneration is made payable by the municipal corporation, providing for the allowance of a charge for stenographic reporting as part of the costs in any case in which a stenographic report of the proceedings has been taken;
- (f) prescribing the duties of the senior magistrate for the City of Toronto;
- (g) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) Any such regulation may be general or particular in its application. R.S.O. 1950, c. 219, s. 24, *amended*. Idem

**22.** *The Magistrates Act* and *The Magistrates Act, 1934* are repealed. Rev. Stat.,  
c. 219;  
1934, c. 28,  
repealed

**23.** This Act comes into force on the 1st day of May, 1952. Commence-  
ment

**24.** This Act may be cited as *The Magistrates Act, 1952*. Short  
title



## CHAPTER 54

**An Act to amend The Mechanics' Lien Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 3 of *The Mechanics' Lien Act* is amended by adding thereto the following subsections: Rev. Stat.,  
c. 227, s. 3,  
amended

(2) Every builder, contractor or subcontractor who appropriates or converts any part of the contract price referred to in subsection 1 to his own use or to any use not authorized by the trust shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than \$5,000 or to imprisonment for a term of not more than two years or both, and every director or officer of a corporation who knowingly assents to or acquiesces in any such offence by the corporation shall be guilty of such offence in addition to the corporation. Offence  
and  
penalty

(3) Notwithstanding the provisions of this section, where a builder, contractor or subcontractor has paid in whole or part for any materials supplied on account of the contract, or any workman or subcontractor who has performed any work or services or placed or furnished any material in respect of such contract, the retention by such builder, contractor or subcontractor of any amount so paid by him shall not be deemed an appropriation or conversion thereof to his own use or to any use not authorized by the trust. Saving

**2.** Section 5 of *The Mechanics' Lien Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 227, s. 5,  
amended

(3) For the purposes of subsection 1, "agent" shall be deemed to include the contractor or subcontractor for whom the materials are placed or furnished, unless the person placing or furnishing the materials has had actual notice from the owner to the contrary. Interpre-  
tation

Rev. Stat.,  
c. 227, s. 11,  
subs. 1,  
amended

3.—(1) Subsection 1 of section 11 of *The Mechanics' Lien Act* is amended by striking out the word "thirty" in the fourth line and inserting in lieu thereof the word "thirty-seven" and by inserting after the word "calculated" in the tenth line the words "upon evidence given in that regard", so that the subsection shall read as follows:

Retention  
of percent-  
age by  
owner

- (1) In all cases the person primarily liable upon any contract under or by virtue of which a lien may arise shall, as the work is done or materials are furnished under the contract, retain for a period of thirty-seven days after the completion or abandonment of the work done or to be done under the contract 20 per cent of the value of the work, service and materials actually done, placed or furnished, as mentioned in section 5, irrespective of whether the contract or subcontract provides for partial payments or payment on completion of the work and the value shall be calculated upon evidence given in that regard on the basis of the contract price, or if there is no specific contract price, then on the basis of the actual value of the work, service or materials.

Rev. Stat.,  
c. 227, s. 11,  
amended

(2) The said section 11 is amended by adding thereto the following subsections:

Reduction  
in amount  
retained

- (2a) In the case of a contract that is under the supervision of an architect, engineer or other person upon whose certificates payments are to be made, where thirty-seven days have elapsed after a certificate issued by that architect, engineer or other person to the effect that the subcontract has been completed to his satisfaction has been given to the person primarily liable upon that contract and to the person who became a subcontractor by a subcontract made directly under that contract, the amount to be retained by the person primarily liable upon that contract shall be reduced by 15 per cent of the subcontract price or, if there is no specific subcontract price, by 15 per cent of the actual value of the work, service performed or materials furnished or placed under that subcontract, but this subsection shall not operate if and so long as any lien derived under that subcontract is preserved by anything done under this Act.

Idem

- (2b) Where a certificate issued by an architect, engineer or other person to the effect that a subcontract by which a subcontractor became a subcontractor has

been

been completed to the satisfaction of that architect, engineer or other person has been given to that subcontractor, then for the purposes of subsections 1, 2 and 3 of section 21 and section 23 that subcontract and any materials furnished or placed or to be furnished or placed thereunder and any work or services performed or to be performed thereunder shall, so far as concerns any lien thereunder of that subcontractor, be deemed to have been completed or furnished or placed not later than the time at which the certificate was so given.

(3) Subsection 4 of the said section 11 is amended by inserting after the figure "2" in the third line the words "and payments permitted as a result of the operation of subsections 2a and 2b", so that the subsection shall read as follows: Rev. Stat., c. 227, s. 11, subs. 4, amended

(4) All payments up to 80 per cent as fixed by subsection 1 or up to 85 per cent as fixed by subsection 2 and payments permitted as a result of the operation of subsections 2a and 2b made in good faith by an owner to a contractor, or by a contractor to a subcontractor, or by one subcontractor to another subcontractor, before notice in writing of the lien given by the person claiming the lien to the owner, contractor or subcontractor, as the case may be, shall operate as a discharge *pro tanto* of the lien. Payments made in good faith without notice of lien

(4) Subsection 5 of the said section 11 is amended by striking out the word "thirty" in the fourth line and inserting in lieu thereof the word "thirty-seven", so that the subsection shall read as follows: Rev. Stat., c. 227, s. 11, subs. 5, amended

(5) Payment of the percentage required to be retained under this section may be validly made so as to discharge all liens or charges in respect thereof after the expiration of the period of thirty-seven days mentioned in subsection 1 unless in the meantime proceedings have been commenced to enforce any lien or charge against the percentage as provided by sections 22 and 23, in which case the owner may pay the percentage into court in the proceedings and the payment shall constitute valid payment in discharge of the owner to the amount thereof. Payment of percentage and discharge of liens

(5) The said section 11 is amended by adding thereto the following subsections: Rev. Stat., c. 227, s. 11, amended

(6) Every contract is amended in so far as is necessary to be in conformity with this section. Amendment of contracts

(7)



Where percentage not to be applied

- (7) Where the contractor or subcontractor makes default in completing his contract, the percentage shall not, as against any lienholder who by virtue of subsection 3 has a charge thereupon, be applied by the owner, contractor or subcontractor to the completion of the contract or for any other purpose nor to the payment of damages for the non-completion of the contract by the contractor or subcontractor nor in payment or satisfaction of any claim against the contractor or subcontractor.

Rev. Stat., c. 227, s. 14, subs. 4, repealed

4. Subsection 4 of section 14 of *The Mechanics' Lien Act* is repealed.

Rev. Stat., c. 227, s. 15, re-enacted

5. Section 15 of *The Mechanics' Lien Act* is repealed and the following substituted therefor:

Lien for material

- 15.—(1) Material actually delivered to be used for any of the purposes mentioned in section 5 shall be subject to a lien for any of the purchase price thereof which is unpaid in favour of the person who furnished it until it is placed in the building, erection or work, and it shall not during the continuance of such lien be subject to execution or other process to enforce any debt other than for the purchase price thereof due to the person furnishing the same.

Removal of material

- (2) No material that is subject to a lien shall be removed to the prejudice of the lien by any person except the person furnishing it.

Rev. Stat., c. 227, s. 21, subs. 1, amended

- 6.—(1) Subsection 1 of section 21 of *The Mechanics' Lien Act* is amended by striking out the word "thirty" in the fourth line and inserting in lieu thereof the word "thirty-seven".

Rev. Stat., c. 227, s. 21, subs. 2, amended

- (2) Subsection 2 of the said section 21 is amended by striking out the word "thirty" in the second line and inserting in lieu thereof the word "thirty-seven".

Rev. Stat., c. 227, s. 21, subs. 3, amended

- (3) Subsection 3 of the said section 21 is amended by striking out the word "thirty" in the second line and inserting in lieu thereof the word "thirty-seven".

Rev. Stat., c. 227, s. 21, subs. 4, amended

- (4) Subsection 4 of the said section 21 is amended by striking out the word "thirty" in the third line and inserting in lieu thereof the word "thirty-seven".



7. Section 23 of *The Mechanics' Lien Act* is amended by striking out the word "thirty" in the seventh line and inserting in lieu thereof the word "thirty-seven". Rev. Stat., c. 227, s. 23, amended

8.—(1) Subsection 4 of section 32 of *The Mechanics' Lien Act* is repealed and the following substituted therefor: Rev. Stat., c. 227, s. 32, subs. 4, re-enacted

(4) At any time after the delivery of the statement of claim, any lien claimant, mortgagee or other party interested, may make an application to a judge or officer having jurisdiction to try the action, who may hear *viva voce* or affidavit evidence or both and who shall have power to appoint, upon such terms and upon the giving of such security or without security as the judge or officer deems best, a trustee or trustees with power to manage and sell or manage or sell the property upon which the lien is filed, and such management and sale or management or sale shall be under the supervision and direction of the court, and such sale shall require the approbation of the court, and with power, when so directed by the court, to complete or partially complete the property and in the event that mortgage moneys are advanced to the trustee or trustees as the result of any of the powers conferred upon him or them under this subsection, such moneys shall take priority over all liens existing as of the date of the appointment. Power to direct sale and appoint trustee

(2) Subsection 5 of the said section 32 is repealed.

Rev. Stat., c. 227, s. 32, subs. 5, repealed

(3) Subsection 8 of the said section 32 is amended by striking out the words "The judge of the Supreme Court or" at the commencement thereof, so that the subsection shall read as follows: Rev. Stat., c. 227, s. 32, subs. 8, amended

(8) The judge or officer having jurisdiction as aforesaid, as the case may be, shall make all necessary orders for the completion of the sale for the vesting of the property in the purchaser and for possession. Orders for completion of sale

9. This Act may be cited as *The Mechanics' Lien Amendment Act, 1952*. Short title



## CHAPTER 55

## An Act to amend The Medical Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Medical Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 228,  
amended

19a.—(1) The College may by by-law establish and maintain a register to be known as the “Educational Register” Educational  
Register

(2) The registrar of the College may register in the Educational Register any person who, Registra-  
tion

(a) is a graduate of a university or college referred to in clause *b* of subsection 1 of section 3, or possesses equivalent qualifications; and

(b) is employed as an interne or is engaged in post graduate work in a public hospital which in the regulations under *The Public Hospitals Act* is classed as a Group A hospital; and Rev. Stat.,  
c. 307

(c) pays the registration fee prescribed by the by-laws.

(3) The registrar may remove the name of any person registered under subsection 2 from the Educational Register upon the termination of the employment of such person in the hospital in which such employment entitled him to registration. Removal  
of names

(4) Any person registered on the Educational Register may practise medicine, surgery or midwifery only in the hospital in which the person so registered is employed. Practice

**2.** This Act may be cited as *The Medical Amendment Act*, Short title 1952.



## CHAPTER 56

## An Act to amend The Mental Hospitals Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Mental Hospitals Act* is amended by adding thereto the following Part: Rev. Stat.,  
c. 229,  
amended

## PART VIIIA

## DETENTION UNITS

56a.—(1) In this Part, “public hospital” means a hospital approved under *The Public Hospitals Act*. Interpre-  
tation  
Rev. Stat.,  
c. 307

(2) The Minister may issue certificates approving any part of a public hospital as a detention unit. Detention  
units

56b.—(1) Any person who, Admission  
and  
detention

(a) has been found or certified under this Act as mentally ill or mentally defective and is eligible for admission to an institution under this Act as a,

(i) certificated patient, or

(ii) Deputy Minister’s warrant patient, or

(iii) Lieutenant-Governor’s warrant patient;  
or

(b) is a patient remanded by a judge or magistrate in accordance with the provisions of this Act and the regulations; or

(c) has been directed by a magistrate to be confined in some safe and comfortable place in accordance with subsection 5 of section 25,

may be admitted to and detained in a detention unit pending his transfer to an institution under this Act.

No admis-  
sion without  
application

56c.—(1) Notwithstanding section 11 of *The Public Hospitals Act*, no person shall be taken to a detention unit for admission or admitted thereto until an application has been made and admission has been awarded in accordance with subsections 2 and 3.

Application  
for admis-  
sion

(2) Application for the admission of a person as a patient to a detention unit may be made verbally or in writing to the superintendent thereof or other person designated by the governing body of the public hospital.

Admission

(3) The superintendent of the public hospital or other person so designated shall refer the application for admission to a medical practitioner designated by the governing body of the public hospital and if the medical practitioner certifies in the prescribed form that the prospective patient is suitable for admission to and detention in the detention unit the superintendent may award admission to the prospective patient.

Deputy  
Minister to  
be notified

(4) Within twenty-four hours after the admission of a person to a detention unit, the superintendent shall give notice thereof to the Deputy Minister.

Powers of  
superin-  
tendent of  
public  
hospital

56d.—(1) Where a patient has been admitted to a detention unit, the superintendent or other person in charge of the public hospital shall, in addition to any of the powers conferred upon him by the general or special Act under which the hospital operates, have the power of a superintendent of an institution under this Act with respect to the custody and control of the patient.

Limit in  
detention  
unit

(2) No patient shall remain in a detention unit for a period in excess of twenty-one days.

Grants

56e.—(1) The Minister may, out of such money as may be appropriated by the Legislature for the purpose, pay grants to public hospitals by way of provincial aid for the care and maintenance of patients in detention units in public hospitals in accordance with regulations made under *The Public Hospitals Act*.

Rev. Stat.,  
c. 307

Regulations

(2) The regulations mentioned in subsection 1 may prescribe that the liability imposed under section 16 of *The Public Hospitals Act* shall not apply to any patient in a detention unit who is an indigent person or a dependant of an indigent person upon such terms and conditions as may be prescribed by the regulations.



2. Section 86 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 229, s. 86,  
re-enacted

- 86.—(1) Where a mentally ill, mentally defective or epileptic person is detained as a patient in a provincial institution in another province and has estate situate in Ontario, the Lieutenant-Governor in Council may appoint the official of the other province who is charged with the duty of managing the estate of such person in the other province to be committee of the estate in Ontario.
- (2) The order making the appointment shall be conclusive proof that all the conditions precedent to the appointment have been fulfilled.
- (3) The appointee under such an order shall possess the same rights, powers, privileges and immunities as are conferred by this Act upon the Public Trustee and he shall be subject to the same obligations and shall perform the same duties.

Official of  
other  
province  
committee  
in Ontario

Order con-  
clusive  
proof as to  
appointment

Powers and  
duties of  
appointee

3. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

4. This Act may be cited as *The Mental Hospitals Amendment Act, 1952*.

Short title



## CHAPTER 57

**An Act to amend The Milk and Cream Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Milk and Cream Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 232, s. 1,  
re-enacted

1. In this Act, Interpreta-  
tion

(a) "municipality" means a city, town, village, township or improvement district;

(b) "vendor" means a person who sells milk or cream for human consumption to the consumer and a person other than a producer who sells milk or cream for human consumption to any person for re-sale.

**2.** Subsection 1 of section 3 of *The Milk and Cream Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 232, s. 3,  
subs. 1,  
re-enacted

(1) The council of any municipality may pass by-laws By-laws for licensing, regulating and governing vendors, and for revoking any such licence.

**3.** Section 5 of *The Milk and Cream Act* is repealed.

Rev. Stat.,  
c. 232, s. 5,  
repealed

**4.** This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commence-  
ment

**5.** This Act may be cited as *The Milk and Cream Amendment Act, 1952.* Short title



## CHAPTER 58

## An Act to amend The Milk Control Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 7 of *The Milk Control Act* is amended by inserting after the word "market" in the second line the words "or any group of markets", so that the subsection shall read as follows:

Rev. Stat.,  
c. 233, s. 7,  
subs. 1,  
amended

- (1) The producers, any class of processors or the distributors of milk in any market or any group of markets may require,

Collective  
bargaining,  
producers,  
processors,  
distributors

(a) in the case of producers, the processors or distributors to whom they sell milk; or

(b) in the case of processors or distributors, the producers from whom they purchase milk,

to bargain collectively in order to determine the prices that shall be paid to the producers supplying milk to the distributors or processors and to prescribe the terms and conditions relating to the sale and purchase of the milk and to fix quotas or establish quota committees.

2. Section 8 of *The Milk Control Act*, as re-enacted by section 4 of *The Milk Control Amendment Act, 1951*, is amended by adding thereto the following subsection:

Rev. Stat.,  
c. 233, s. 8  
(1951,  
c. 50, s. 4),  
amended

- (3) *The Arbitration Act* shall not apply to an arbitration under this section.

Application  
of Rev. Stat.,  
c. 20

3. Subsection 1 of section 9 of *The Milk Control Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 233, s. 9,  
subs. 1,  
re-enacted

- (1) Subject to subsection 1a, every agreement shall be filed with the Board and shall come into force on the

Filing of  
agreements

day

day named in the agreement or if no day is named in the agreement it shall come into force on a day determined by the Board.

Conditional agreements

(1a) If the operation of an agreement is conditional, it shall not be filed.

Awards

(1b) Every award shall come into force on the day named in the award.

Rev. Stat.,  
c. 233, s. 10,  
amended

4. Section 10 of *The Milk Control Act* is amended by adding thereto the following subsection:

Sale of  
milk not  
processed  
in market

(3) Where an agreement or award is in effect in a market, no distributor shall sell or deliver to any person for re-sale in that market milk processed outside that market except where the milk sold or delivered was supplied by producers at a price not less than the highest price named in the agreement or award.

Rev. Stat.,  
c. 233, s. 15,  
subs. 1,  
amended

5. Subsection 1 of section 15 of *The Milk Control Act* is amended by adding thereto the following clauses:

(bb) designating markets to be included in a group of markets for bargaining by producers and distributors;

. . . . .

(rr) prescribing and defining the classes of milk and the minimum and maximum percentages of butter fat, and the minimum percentage of total solids including butter fat, in any class;

(rrr) respecting substances that may be added to or removed from milk;

. . . . .

(ss) respecting the advertising in respect of and the labelling of containers for any class of milk.

1951,  
c. 50, s. 7;  
c. 83, s. 6,  
repealed

6. Section 7 of *The Milk Control Amendment Act, 1951*, as amended by section 6 of *The Statute Law Amendment Act, 1951*, is repealed.

Commence-  
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Milk Control Amendment Act, 1952*.



## CHAPTER 59

**An Act to amend The Mining Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 9 of section 80 of *The Mining Act* is repealed. Rev. Stat.,  
c. 236, s. 80,  
subs. 9,  
repealed
2. Subsection 2 of section 98 of *The Mining Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 236, s. 98,  
subs. 2,  
re-enacted
  - (2) Where the area of the mining claim exceeds by more than five acres the prescribed area as defined in sections 50 and 51 and such claim is not reduced in size under section 107, the price or rental per acre of such area in excess of the area so prescribed shall be twice the price or rental provided for in this Act, and there shall be performed at least five days work per acre for such excess area, but where there is a group of contiguous claims held by the same licensee and their average area does not exceed forty-five acres, the Minister may direct that this subsection does not apply. Where area  
exceeds  
prescribed  
area
  - (2a) Where additional work is required under subsection 2, the Minister may prescribe the time within which such work is to be performed and recorded, and application and payment for patent or lease shall be made within the time so prescribed. Where  
additional  
work  
required
3. Subsection 1 of section 105 of *The Mining Act* is amended by striking out the word "issued" in the second line and inserting in lieu thereof the words "applied for", so that the subsection shall read as follows: Rev. Stat.,  
c. 236, s. 105,  
subs. 1,  
amended
  - (1) Before a patent of a mining claim in unsurveyed territory is applied for the claim shall be surveyed by an Ontario land surveyor at the expense of the applicant. When survey  
required in  
unsurveyed  
territory

Rev. Stat.,  
c. 236, s. 109,  
amended

4. Section 109 of *The Mining Act* is amended by adding thereto the following subsection:

Limitation

(7) A licensee shall not in any one licence year stake out more than three areas or apply for or obtain more than three boring permits.

Rev. Stat.,  
c. 236,  
amended

5. *The Mining Act* is amended by adding thereto the following section:

Provision  
for two  
judges of  
Mining  
Court

115a. Notwithstanding any other provision of this Act, there may be two judges of the Mining Court appointed in the manner set out in section 115, in which case either of such judges shall be deemed to be "the Judge" within the meaning of and for the purposes of this Act and *The Mining Tax Act*.

Rev. Stat.,  
c. 237

Rev. Stat.,  
c. 236, s. 165,  
re-enacted

6. Section 165 of *The Mining Act* is repealed and the following substituted therefor:

Notice of  
accident

165. Where in or about any mine, metallurgical works or quarry or any sand, clay or gravel pit an accident occurs to a person employed therein that causes a fracture or a dislocation of any bone of his body or any other injury which in the opinion of the attending physician may result in his being incapacitated for work for at least five days, the owner, agent, manager or superintendent of such mine, works, quarry or pit shall within three days of the accident send notice in writing to the Inspector resident in the part of Ontario in which the mine, works, quarry or pit is situate on the form prescribed for such purpose.

Rev. Stat.,  
c. 236, s. 189,  
subs. 2,  
amended

7. Subsection 2 of section 189 of *The Mining Act* is amended by adding at the end thereof the words "and the area of each claim shall not exceed the area prescribed in sections 50 and 51", so that the subsection shall read as follows:

Where  
section not  
to apply

(2) In the case of each person who has enlisted or enrolled for active service this section shall apply to not more than three claims whether or not he is the sole owner thereof, and the area of each claim shall not exceed the area prescribed in sections 50 and 51.

Certain  
authoriza-  
tions to  
take oaths  
validated

8. Every instrument signed by the Deputy Minister of Mines before the 15th day of June, 1948, that purports to authorize any officer, employee or agent of the Department of Mines to take affidavits, declarations or affirmations required under *The Mining Act* is validated and confirmed

and

and every affidavit, declaration or affirmation taken before any person so authorized shall have the same force and effect as if taken before a commissioner appointed under *The* <sup>Rev. Stat.,  
c. 57</sup> *Commissioners for taking Affidavits Act*.

**9.** This Act comes into force on the day it receives Royal <sup>Commence-  
ment</sup> Assent.

**10.** This Act may be cited as *The Mining Amendment* <sup>Short title</sup> *Act, 1952*.



## CHAPTER 60

## An Act to amend The Mining Tax Act

*Assented to April 10th, 1952**Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause g of section 1 of *The Mining Tax Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 237, s. 1,  
cl. g, re-  
enacted

(g) "municipality" means a city, town, village, township or improvement district.

**2.** Subsection 4 of section 4 of *The Mining Tax Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 237, s. 4,  
subs. 4,  
re-enacted

(4) No allowance or deduction shall be made in respect of, Allowances  
and deduc-  
tions not  
permitted

(a) cost of plant, machinery, equipment or buildings;

(b) capital invested, or interest or dividend upon capital or stock or investment;

(c) depreciation in the value of the mine, mining land or mining property by reason of exhaustion or partial exhaustion of the ore or mineral;

(d) royalties paid for or in respect of the output of a mine situated on lands not the property of the Crown.

**3.** Section 13 of *The Mining Tax Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 237, s. 13,  
re-enacted

13. Where a person liable for payment of tax under section 4 is also during any year in which such tax is payable liable for and paying to a municipality or a school board of a school section in territory without municipal organization, a tax upon the Allowance  
for profits  
tax paid  
to municip-  
ality or  
school board

profits



profits of a mine situated therein, he shall be entitled to deduct from the tax payable under section 4 an amount equal to the sum for which he is liable to the municipality or school board under subsection 8 of section 33 of *The Assessment Act*, if proof of the payment thereof is furnished to the mine assessor at such time and in such manner as he may require.

Rev. Stat.,  
c. 24

Rev. Stat.,  
c. 237, s. 15,  
subs. 1,  
amended

4.—(1) Subsection 1 of section 15 of *The Mining Tax Act* is amended by striking out the words “unorganized territory” in the first and second lines and inserting in lieu thereof the words “territory without municipal organization” and by striking out the figure “4” in the fourth line and inserting in lieu thereof the figures “14”, so that the subsection shall read as follows:

School  
trustees in  
unorganized  
territory  
to make list

(1) The trustees of every school section in territory without municipal organization shall prepare a list of all mining locations, mining claims, mining rights and other lands within their school section liable to acreage tax under section 14, and such list shall be signed and certified by their secretary or secretary-treasurer, who shall forward it to the Department on or before the 30th day of April in each year.

Rev. Stat.,  
c. 237, s. 15,  
amended

(2) The said section 15 is amended by adding thereto the following subsection:

Where  
section not  
applicable

(3) This section shall not apply to a school section the trustees of which receive a share of a tax levied under section 4, as provided in subsection 8 of section 33 of *The Assessment Act*.

Rev. Stat.,  
c. 24

Rev. Stat.,  
c. 237, s. 20,  
subs. 3,  
re-enacted

5.—(1) Subsection 3 of section 20 of *The Mining Tax Act* is repealed and the following substituted therefor:

Declaration  
of forfeiture

(3) Where the total amount of tax, penalties and costs remain unpaid after the 31st day of December of the year of publication of the notice mentioned in subsection 2, the Minister by certificate under his hand and seal of office may on or after the 1st day of January next following declare the mining lands, mining locations, mining claims, mining rights or other lands forfeited to and vested in the Crown, and thereupon the mining lands, mining locations, mining claims, mining rights or other lands shall vest in the Crown, free and clear of every estate, right, title, interest, claim or demand therein or thereto whether existing, arising or accruing before or after such forfeiture is declared.



- (3a) Such mining lands, mining locations, mining claims, mining rights or other lands so forfeited shall not be open for prospecting, staking out, sale or lease, except as provided in subsection 6. Not open for staking

(2) Subsection 5 of the said section 20 is amended by inserting after the word "land" in the third line the words "or mining rights", so that the subsection shall read as follows: Rev. Stat., c. 237, s. 20, subs. 5, amended

- (5) Upon registration of the certificate of forfeiture in the registry or land titles office, *The Registry Act* or *The Land Titles Act*, as the case may be, shall cease to apply to the land or mining rights forfeited, and the registrar or local master of titles shall note that fact in his register in red ink. Rev. Stat., cc. 336, 197 not to apply to forfeited lands

(3) Subsection 6 of the said section 20 is repealed and the following substituted therefor: Rev. Stat., c. 237, s. 20, subs. 6, re-enacted

- (6) The mining lands, mining locations, mining claims, mining rights and other lands forfeited to and vested in the Crown under this section that are mentioned in a notice published in one issue of *The Ontario Gazette* during May of any year shall be open for prospecting, staking out, sale or lease at and after 7 o'clock standard time in the forenoon of the 1st day of June next following. Opening forfeited lands, etc., for prospecting

6. Section 21 of *The Mining Tax Act* is amended by inserting after the word "land" in the third line the words "or mining rights", so that the section shall read as follows: Rev. Stat., c. 237, s. 21, amended

21. Any person duly authorized by the Minister in writing may, for the purpose of ascertaining the names and addresses of owners of land or mining rights liable to taxation under this Act, search and inspect registry books and indexes in registry offices and books and documents in the custody of masters of titles, and no charge shall be made by and no fee shall be payable to a registrar or master of titles for any such search or inspection. Right to search registry and land titles office free of charge

7.—(1) Subsection 1 of section 23 of *The Mining Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 237, s. 23, subs. 1, re-enacted

- (1) The Minister may regrant any lands or mining rights forfeited under this Act to the owner thereof at the time of such forfeiture, or to his heirs, successors or assigns, upon such terms as the Minister

may deem just and the decision of the Minister upon any application for a regrant of such lands or mining rights under this section shall be final and conclusive.

Rev. Stat.,  
c. 237, s. 23,  
subs. 2,  
amended

(2) Subsection 2 of the said section 23 is amended by inserting after the word "lands" in the fourth line the words "or mining rights", so that the subsection shall read as follows:

Order in  
Council  
revoking  
forfeiture

(2) In lieu of such regrant the Lieutenant-Governor in Council may by order revoke, cancel or annul the forfeiture and such order shall be entered and registered in the proper land titles office or registry office and thereupon such lands or mining rights shall be revested in the owner of the lands at the time of forfeiture, his heirs, successors or assigns subject to any lien, mortgage or charge entered or registered prior to the forfeiture and still outstanding.

Commence-  
ment

8. This Act shall be deemed to have come into force on the 1st day of January, 1952.

Short title

9. This Act may be cited as *The Mining Tax Amendment Act, 1952*.

## CHAPTER 61

### An Act to amend The Mortgages Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 1 of section 10 of *The Mortgages Act* is repealed and the following substituted therefor: Rev. Stat., c. 239, s. 10, subs. 1, re-enacted

(1) In this section, “court” means the Supreme Court or the county or district court of the county or district in which the land or any part thereof is situate. Interpretation

(2) The said section 10 is amended by adding thereto the following subsection: Rev. Stat., c. 239, s. 10, amended

(10) An appeal shall lie to the Court of Appeal from any order made under this section. Appeal

**2.** This Act may be cited as *The Mortgages Amendment Act, 1952*. Short title



## CHAPTER 62

**The Mothers' Allowances Act, 1952**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "allowance" means allowance under this Act;
- (b) "beneficiary" means a person receiving an allowance;
- (c) "Director" means Director of the Mothers' Allowances Branch of the Department of Public Welfare;
- (d) "investigator" means a person designated as such under the regulations and includes a field worker of the Department of Public Welfare;
- (e) "local authority" means the public welfare administrator or public welfare commissioner, if any, or if neither, means the clerk of the municipality or such other person as the council appoints under this Act, and includes a field worker of the Department of Public Welfare and any person authorized by the public welfare administrator or public welfare commissioner to act on his behalf;
- (f) "Minister" means Minister of Public Welfare;
- (g) "mother" includes a woman who in the opinion of the Director is a suitable foster mother and a person who acts as trustee for an applicant or beneficiary pursuant to the regulations;
- (h) "regulations" means regulations made under this Act. R.S.O. 1950, c. 242, s. 1, *amended*.

**2.** Subject to this Act and the regulations, a monthly allowance may be paid to a mother towards the support of <sup>When allowance may be paid</sup>

one or more of her children who are under eighteen years of age and who reside with her in circumstances under which they would not be cared for properly without the assistance of an allowance,

- (a) if she is a widow;
- (b) if her husband has deserted her and has not been heard of for at least one year;
- (c) if her husband, by reason of mental or physical disability, is permanently unemployable; or
- (d) if she has divorced the father of the child or children and has been awarded custody of them in proceedings in which no provision was made for their maintenance, or if made, the father has failed to carry out his obligations and has not been heard of for at least one year,

but in no case shall an allowance be paid,

- (e) unless the mother resided in Ontario at the time she made the application for an allowance and had then been resident therein for at least one year;
- (f) unless the mother continues to reside in Ontario with her dependent children; and
- (g) unless the mother is, in the opinion of the Director, a suitable person to receive an allowance.

Allowance  
for in-  
capacitated  
husband

(2) Where a mother qualifies for an allowance under clause *c* of subsection 1, an additional allowance may be paid in respect of the husband in the same amount and manner as if the husband were a dependent child, but any allowance paid under this subsection shall cease to be paid when any other allowance paid to the mother under this Act ceases to be paid.

Children  
under 16

(3) No allowance shall be paid under this Act in respect of a child under sixteen years of age, other than a child coming within subsection 5, unless the child, if of school age, is attending school.

Children  
16-18

(4) No allowance shall be paid under this Act in respect of a child more than sixteen years of age and under eighteen years of age, other than a child coming within subsection 5, unless the child is attending school and, in the opinion of the Director, is making satisfactory progress.



(5) Notwithstanding subsections 3 and 4, an allowance may be paid in respect of a child who is unable to attend school by reason of a mental or physical disability, but not after the child becomes eighteen years of age. Children under disability

(6) In cases presenting special circumstances and in which investigation shows the advisability of an allowance being granted in respect of children dependent upon a mother who is not strictly eligible for an allowance under this section, the Lieutenant-Governor in Council may direct the payment of an allowance to such mother and fix the amount thereof. Special cases  
1951, c. 52, s. 2, *amended*.

**3.**—(1) There shall be a Director of Mothers' Allowances appointed by the Lieutenant-Governor in Council. Director, appointment

(2) Where the Director is absent or there is a vacancy in the office, the powers and duties of the Director shall be exercised and performed by such civil servant as the Minister may designate. Acting Director *New*.

(3) It shall be the duty of the Director, Duties of Director

(a) to receive applications for allowances; and

(b) to determine the eligibility of each applicant to receive an allowance, and where the applicant is eligible to determine the amount thereof and to direct payment accordingly. R.S.O. 1950, c. 242, s. 4, *amended*.

(4) Subject to the right of the Director to rescind or amend any determination or direction made by him under this Act or the regulations, every such determination and direction is final and is not subject to review by any court of law or otherwise. R.S.O. 1950, c. 242, s. 5, *amended*. Decisions of Director

**4.**—(1) The council of a municipality, subject to the approval of the Minister, may appoint a person or persons as local authority or local authorities for the municipality in place of the clerk of the municipality. Local authorities

(2) Every local authority is, in the performance of his duties, a commissioner for taking affidavits within the meaning of *The Commissioners for taking Affidavits Act*. *New*. Idem Rev. Stat., c. 57

**5.** The allowances and the expenses of the administration of this Act are payable out of the moneys appropriated therefor by the Legislature. R.S.O. 1950, c. 242, s. 8. Allowances and expenses

**6.** The Lieutenant-Governor in Council may make regulations, Regulations

(a)

- (a) prescribing the maximum amounts of allowances;
- (b) providing for the payment of the whole or part of the cost of providing medical and dental services to beneficiaries and their dependants under this Act;
- (c) governing the manner of making application for an allowance;
- (d) providing for the suspension and cancellation of allowances;
- (e) providing for the designation of persons as investigators and prescribing their powers and duties;
- (f) prescribing the powers and duties of local authorities;
- (g) providing for the payment of the expenses incurred by local authorities in connection with this Act, and their remuneration;
- (h) providing for the furnishing of notices and information by local authorities to the Director and by the Director to local authorities;
- (i) providing for the making of investigations respecting persons to whom allowances may be paid or who are in receipt of allowances or by whom or on whose behalf application has been made for an allowance;
- (j) prescribing the material or proof of any fact, including evidence under oath, that shall be furnished as a condition precedent to the payment of an allowance;
- (k) fixing the intervals at which and the manner in which allowances shall be paid;
- (l) prescribing the forms for use under this Act;
- (m) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1950, c. 242, s. 6, *amended*.

Rev. Stat.,  
c. 242;  
1951, c. 52,  
repealed

**7.** *The Mothers' Allowances Act and The Mothers' Allowances Amendment Act, 1951* are repealed.

Commence-  
ment

**8.** This Act comes into force on the day it receives Royal Assent.

Short title

**9.** This Act may be cited as *The Mothers' Allowances Act, 1952*.

## CHAPTER 63

## An Act to amend The Municipal Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *j* of section 1 of *The Municipal Act* is amended by adding at the end thereof the words "other than a by-law passed under section 341", so that the clause shall read as follows: Rev. Stat., c. 243, s. 1, cl. j, amended

(*j*) "money by-law" means a by-law for contracting a debt or obligation or for borrowing money, other than a by-law passed under section 341.

2. Subsection 5 of section 45 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat., c. 243, s. 45, subs. 5, re-enacted

(5) The board, with respect to the improvement district, shall function as every local board within the meaning of *The Department of Municipal Affairs Act* except a separate school board and except a high school board of a high school district established under subsection 5 of section 5 of *The High Schools Act*. Board to function as local boards  
Rev. Stat., cc. 96, 165

3. Clause *r* of subsection 1 of section 56 of *The Municipal Act* is amended by inserting after the word "section" in the fifth line the figures "223, 230", so that the clause shall read as follows: Rev. Stat., c. 243, s. 56, subs. 1, cl. r, amended

(*r*) a person who, either himself or by or with or through another has any claim, action or proceeding against the corporation, but this clause shall not apply with respect to any moneys paid or payable to a member of council under section 223, 230, 417, 418, 419 or 420.

4. Subsection 7 of section 58 of *The Municipal Act* is amended by inserting after the word "roll" in the fifth line the words "or has been added to the assessment roll under section 51a of *The Assessment Act*", so that the subsection shall read as follows: Rev. Stat., c. 243, s. 58, subs. 7, amended

Certificate  
for voters  
if names  
omitted

- (7) Where after the voters' list has been finally revised, the clerk is satisfied that the name of a person entitled to be entered thereon under this section has by error been omitted therefrom he may, if such person is entered on the last revised assessment roll, or has been added to the assessment roll under section 51a of *The Assessment Act*, and is not otherwise disqualified, issue a certificate (Form 10), authorizing the returning officer or proper deputy returning officer to enter the name of such person on the voters' list to entitle him to vote as if his name had been entered thereon before the list was revised.

Rev. Stat.,  
c. 24

Rev. Stat.,  
c. 243, s. 70,  
subs. 2,  
amended

5. Subsection 2 of section 70 of *The Municipal Act* is amended by inserting after the word "candidate" in the second line the words "and the residence and occupation of the proposer and seconder", so that the subsection shall read as follows:

Nomination  
papers

- (2) Every nomination shall be in writing and state the name, residence and occupation of the candidate and the residence and occupation of the proposer and seconder and shall be signed by the proposer and seconder, both of whom shall be municipal electors and present, and shall be filed with the returning officer within one hour from the opening of the nomination meeting.

Rev. Stat.,  
c. 243, s. 72,  
subs. 1,  
cl. c  
(1951,  
c. 53, s. 5),  
amended

6. Clause c of subsection 1 of section 72 of *The Municipal Act*, as re-enacted by section 5 of *The Municipal Amendment Act, 1951*, is amended by inserting after the word "qualifying" in the fourth line the words "and no unpaid taxes against him in respect of an assessment for business", so that the clause shall read as follows:

- (c) a certificate of the treasurer or collector that there were, at the time of the opening of the nomination meeting, no unpaid taxes for any preceding year against the land in respect of which he is qualifying and no unpaid taxes against him in respect of an assessment for business, or a statutory declaration to the same effect.

Rev. Stat.,  
c. 243, s. 107,  
amended

7. Section 107 of *The Municipal Act* is amended by striking out the words "final revision" in the seventh line and inserting in lieu thereof the word "return", so that the section shall read as follows:

In municipi-  
palities not  
divided into  
polling sub-  
divisions,  
clerk to per-  
form duties  
of deputy  
returning  
officers

107. In municipalities not divided into polling sub-divisions, the clerk shall perform the duties which in other cases are performed by deputy returning officers,

officers, and shall provide himself with the necessary ballot papers, the materials for marking ballot papers, the printed directions for the guidance of voters, copies of the voters' list, poll book and defaulters' list, and a certificate of the date of the return of the assessment roll, and the last day for making complaints to the judge with respect to the voters' list, and he shall perform the like duties with respect to the whole municipality as are imposed upon a deputy returning officer for a polling subdivision.

8. *The Municipal Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 243,  
amended

- 111a.—(1) A by-law may be passed by the council of a <sup>Advance</sup> local municipality for providing advance polls for the purpose of receiving the votes of voters who will be absent in the ordinary course of their business or employment from the municipality on the day fixed for polling.
- (2) A by-law passed under subsection 1 shall be in force <sup>By-law</sup> from year to year until repealed, and must be passed at least sixty days before the day fixed for polling.
- (3) Polls for receiving the votes of such voters shall be <sup>Time of</sup> held and kept open for such times and on such days <sup>poll</sup> as may be provided in the by-law.
- (4) Except as otherwise provided, all the provisions of <sup>Application</sup> this Act as to proceedings prior to the holding of the <sup>of Act</sup> poll and at the poll, and after the closing of the poll, shall apply.
- (5) In a municipality where the election is to be held <sup>Poll book</sup> by wards there shall be a separate poll book for <sup>for each</sup> each ward.
- (6) In a municipality where the election is by general <sup>Deputy</sup> vote the clerk or some other person appointed by him <sup>returning</sup> shall act as deputy returning officer, and in a municipality where the election is by wards the clerk may <sup>officer</sup> act as deputy returning officer for one or more wards or may appoint one or more persons to act as deputy returning officers for one or more wards, and may also appoint as many poll clerks as there are deputy returning officers, and may fix one or more polling places.



Notice of  
polls

- (7) Notice of the times and places at which polls will be opened shall, prior to the day so fixed for holding the poll, be given by the returning officer by posting up notices at each of the polling places so appointed and in conspicuous places in the municipality and, where possible, by advertisement in a newspaper published or circulated in the municipality.

Declaration  
by voter

- (8) Every person offering himself as a voter at the polling place before being allowed to vote shall be required by the deputy returning officer to make the following declaration, which shall be kept by the deputy returning officer with the other records of the poll:

I, ....., declare that I will be absent in the ordinary course of my business or employment from the.....of.....  
(*name of municipality*) on the day for holding the poll at the coming election.

Dated at....., this.....day  
of....., 19.....

Witness:

.....  
Signature of Voter

.....  
Deputy Returning Officer

## Penalty

- (9) Any person signing any such declaration knowing that any statement therein is false shall be guilty of an offence and liable to a penalty of not less than \$25 and not more than \$100.

Qualifica-  
tion of voter

- (10) No person shall be entitled to vote unless his name appears on the last revised voters' list for the municipality.

## Oath

- (11) The deputy returning officer and every candidate or his agent may require that the voter, before being handed a ballot, take the oath to be administered to a voter under this Act.

Record of  
declaration

- (12) The poll clerk shall record in the poll book in the column headed "Remarks" after the name of each person who votes under this section a note that he has made the declaration mentioned in subsection 8 and the number of the polling subdivision, if any, in which he is entered on the voters' list.

Fixing of  
seals

- (13) At the close of the poll each day the deputy returning officer and any candidate or agent present who desires to do so shall affix his seal to the ballot box in such a manner that it cannot be opened or any ballots be deposited in it without breaking the seals.



- (14) At the close of the poll each day the deputy returning officer shall forthwith make up and deliver or mail to the returning officer a list of the names of all persons who have voted showing in each case the number of the polling subdivision in which the voter is entered on the voters' list, and the returning officer shall, at the request of any candidate, furnish him with a copy of such list. List of person voting
- (15) Upon receiving from the deputy returning officer the list mentioned in subsection 14, the returning officer shall make an entry in the voters' list to be supplied to each deputy returning officer on polling day opposite the name of each voter whose name appears on such list and whose vote has been received at an advance poll, showing that such voter has polled his vote. Noting other deputy re-turning officers' lists
- (16) On the day fixed for holding the general poll at the election, the deputy returning officer at the polling place shall, in the presence of such candidates and their agents as may be present at the hour fixed for the closing of the general poll, open the ballot box, count the votes and perform all the other duties required of a deputy returning officer by this Act with respect to the votes polled under this section. Opening ballot box and counting ballots
- (17) No by-law shall be passed under this section while a by-law under section 111 is in force, and no by-law shall be passed under section 111 while a by-law under this section is in force. Proviso

**9.**—(1) Subsection 5 of section 223 of *The Municipal Act* is amended by inserting after the figures "200,000" in the first line the words and figures "but is less than 300,000", so that the subsection shall read as follows: Rev. Stat., c. 243, s. 223, subs. 5, amended

- (5) Where the population of a city exceeds 200,000 but is less than 300,000, the salary shall not exceed for each member of the board the sum of \$5,000 per annum.

(2) The said section 223 is amended by adding thereto the following subsection: Rev. Stat., c. 243, s. 223, amended

- (6) Where the population of a city exceeds 300,000, the salary shall not exceed for each member of the board the sum of \$7,500 per annum.

**10.**—(1) Subsection 1 of section 298 of *The Municipal Act* is amended by adding thereto the following clause: Rev. Stat., c. 243, s. 298, subs. 1, amended

(bb)

idem

- (bb) where the debt intended to be created is to provide moneys for any purpose on behalf of two or more municipalities, the amount of the whole rateable property of each municipality or portion thereof for whose benefit the debt is to be created, according to the last revised assessment roll of such municipality.

Rev. Stat.,  
c. 243, s. 298,  
subs. 2, cl. d,  
re-enacted

- (2) Clause *d* of subsection 2 of the said section 298 is repealed and the following substituted therefor:

- (d) if the debt is for any other purpose, in such term of years as the Municipal Board may approve.

Rev. Stat.,  
c. 243, s. 298,  
subs. 3, 4,  
re-enacted;  
subs. 4a  
(1951,  
c. 53, s. 10),  
repealed

- (3) Subsections 3 and 4, and subsection 4a as enacted by section 10 of *The Municipal Amendment Act, 1951*, of the said section 298 are repealed and the following substituted therefor:

Principal  
and interest  
payments

- (3) The by-law shall provide that the principal shall be repaid in annual instalments with interest annually or semi-annually upon the balances from time to time remaining unpaid, but the by-law may provide for annual instalments of combined principal and interest.

Amount to  
be raised  
annually

- (4) The by-law shall provide for raising in each year by a special rate on all the rateable property in the municipality the sums of principal and interest payable under the by-law in such year to the extent that such sums have not been provided for by any special rate or rates imposed on persons or property made especially liable therefor by the by-law or by any by-law or by-laws passed by the municipality or any other municipality in accordance with any general or special Act or in accordance with subsection 14 of this section.

Rev. Stat.,  
c. 243, s. 298,  
amended

- (4) The said section 298 is amended by adding thereto the following subsection:

Joint  
municipal  
projects

- (14) Notwithstanding anything in this section, if a municipality will be liable for a portion of the annual carrying charges on a debt intended to be created on behalf of two or more municipalities, such municipality may pass a by-law providing for raising, by a special rate on all the rateable property liable therefor in the municipality in each year of the currency of the debt, its share of the principal and interest falling due in each such year, and the by-law shall provide that such share shall be determined

as provided in the Act authorizing the issue of the debentures and need not provide for the raising of a specific sum in each year of the currency of the debt.

**11.** Section 299 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat., c. 243, s. 299, re-enacted

299.—(1) The authority conferred upon municipalities by this Act and any other general or special Act to borrow or raise money for any purpose and to issue debentures therefor shall extend to and shall be deemed always to have extended to include power to borrow and raise such money and to issue such debentures expressed and payable in sterling money of Great Britain or dollars of the United States of America for such principal amount as the council may deem necessary to realize the sum required for such purpose. Debentures expressed in foreign currency

(2) Where under the provisions of any by-law of a municipality debentures issued thereunder are expressed and made payable in sterling or dollars of the United States of America, the council may in such by-law or in any amending by-law, in lieu of providing for the raising in each year during the currency of the debentures specific sums sufficient to pay interest thereon and to meet sinking fund payments or instalments of principal falling due in such year, provide that there shall be raised such yearly amount as may be necessary for the said purposes and as the requirements for such purposes may from year to year vary. Annual rates

(3) No by-law for the borrowing and raising of money or the issue of debentures expressed and payable in sterling or dollars of the United States of America shall be passed finally until approved by the Municipal Board. Approval of Municipal Board

**12.** Clause *c* of subsection 3 of section 300 of *The Municipal Act* is amended by inserting after the word "*Act*" the words "or *The Municipal Drainage Act*", so that the clause shall read as follows: Rev. Stat., c. 243, s. 300 subs. 3, cl. c. amended

(*c*) under *The Local Improvement Act* or *The Municipal Drainage Act*; or Rev. Stat., c. 215, 246

. . . . .

**13.** Subsection 2 of section 302 of *The Municipal Act* is repealed. Rev. Stat., c. 243, s. 302, subs. 2, repealed

**14.**

Rev. Stat.,  
c. 243, s. 350,  
subs. 1,  
amended

**14.** Subsection 1 of section 350 of *The Municipal Act* is amended by striking out the words "city having a population of not less than 50,000 or a municipality bordering on such a city" in the first, second and third lines and inserting in lieu thereof the words "local municipality", so that the subsection shall read as follows:

By-law may  
fix future  
date for  
widening,  
etc.

(1) A by-law of the council of a local municipality for establishing or laying out, or for extending, widening or diverting a highway or part of a highway may provide that the corporation shall not enter immediately on the land required to be taken or proceed to carry out the work but that the same shall be deferred until a day named therein not less than three and not more than ten years after the date of the passing of the by-law, and in this section "highway" includes "street" as defined in *The Local Improvement Act*.

Rev. Stat.,  
c. 215

Rev. Stat.,  
c. 243, s. 386,  
par. 29,  
amended

**15.**—(1) Paragraph 29 of section 386 of *The Municipal Act* is amended by inserting after the word "hospitals" in the second line the words "including municipal hospitals", so that the paragraph shall read as follows:

Aid to  
hospitals

29. For granting aid for the erection, establishment, maintenance or equipment of public hospitals including municipal hospitals, public sanatoria or municipal isolation hospitals, within or outside the municipality, and may issue debentures therefor.

Rev. Stat.,  
c. 243, s. 386,  
par. 52,  
amended

(2) Paragraph 52 of the said section 386, as amended by subsection 2 of section 15 of *The Municipal Amendment Act, 1951*, is further amended by inserting after the word "parked" in the second line the words "and for erecting buildings for such purposes thereon", so that the paragraph, exclusive of the clauses, shall read as follows:

Municipal  
parking  
lots

52. For acquiring, establishing, laying out and improving land where vehicles may be parked and for erecting buildings for such purposes thereon, and for regulating, supervising and governing the parking of vehicles thereon provided a fee is charged and collected for such parking.

Rev. Stat.,  
c. 243, s. 388,  
subs. 1,  
amended

**16.**—(1) Subsection 1 of section 388 of *The Municipal Act* is amended by adding thereto the following paragraphs:

Television  
installers

11a. For licensing, regulating and governing persons engaged in the installation, erection, construction, reconstruction, alteration or repair of structures used to carry television antennae, and for revoking any such licence.



- 11b. For establishing standards governing the quality of material to be used in television antennae or in structures carrying television antennae, and the quality of material and the method to be used in supporting such structures and making them safe and for requiring that all such antennae or structures and material used conform to such standards; for requiring the installation of safety equipment on such antennae or structures, and for establishing standards governing the quality of such safety equipment; for requiring that, before any such antennae, structure or equipment is installed, erected, constructed, reconstructed, altered or repaired, plans thereof shall be submitted to and approved by a designated official of the municipality and for providing that without such approval no such work shall be commenced; for charging a fee not exceeding \$2 for such approval and for the issue by the designated official of a certificate of such approval and for providing that if the work is not commenced within the time specified in the by-law the approval and certificate shall be void; and for providing for the inspection of television antennae and structures carrying television antennae and the safety equipment installed thereon.

Television  
installations

- (2) Paragraph 37 of subsection 1 of the said section 388, as amended by subsection 2 of section 16 of *The Municipal Amendment Act, 1951*, is repealed and the following substituted therefor:

Rev. Stat.,  
c. 243, s. 388,  
par. 37,  
re-enacted

37. For prohibiting or regulating the discharge of guns or other firearms, and air-guns, spring-guns or any class or type of spring-gun, and the firing and setting off of fireballs, squibs, crackers or fireworks in the municipality or in one or more defined areas thereof.

Discharge  
of fire-  
arms, fire-  
works, etc.

- (3) Subsection 1 of the said section 388 is amended by adding thereto the following paragraphs:

Rev. Stat.,  
c. 243, s. 388,  
subs. 1,  
amended

- 71a. For prohibiting, or for licensing, regulating and governing, the racing of motor vehicles or motorcycles, or one or more defined classes thereof, in the municipality or one or more defined areas thereof; and for prohibiting, or for licensing, regulating and governing, the holding of motor vehicle or motorcycle races, or one or more defined classes thereof, in the municipality or one or more defined areas thereof.

Motor  
vehicle and  
motorcycle  
racing

Reports on  
water and  
sewage  
works

89a. For procuring investigations and reports as to water works and sewage works, and may issue debentures therefor.

(a) It shall not be necessary to procure the assent of the electors to any by-law passed under this paragraph.

(b) Instead of making a separate issue of debentures to defray the expenses of such investigation and report, the council may provide that such expenses shall be included in the cost of the work and be paid out of the proceeds of any debentures issued therefor.

. . . . .

Trailers

91a. For prohibiting the use, and for prohibiting the owner or lessee of any trailer from permitting the use, of any trailer for the living, sleeping or eating accommodation of persons, within the municipality or one or more defined areas thereof, for more than such number of days, not less than sixty, as the by-law provides, in any period of ten consecutive months.

Interpre-  
tation

(a) In this paragraph, "trailer" means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up or that its running-gear is removed.

Application  
of by-law

(b) A by-law passed under this paragraph may be made to apply to any trailer whether or not such trailer was used for the living, sleeping or eating accommodation of persons before the by-law was passed.

Penalties

(c) The by-law may provide for imposing penalties of not less than \$10 and not more than \$50, exclusive of costs, upon every person who contravenes the by-law, and may provide that each day that a person contravenes the by-law shall be deemed to constitute a separate offence.

Rev. Stat.,  
c. 243, s. 388,  
subs. 1,  
par. 102,  
amended

(4) Paragraph 102 of subsection 1 of the said section 388 is amended by striking out the words "or gas" in the third line and inserting in lieu thereof the words "gas or sewage", so that the paragraph shall read as follows:



102. Subject to *The Municipal Franchises Act*, for authorizing the laying down, maintenance and use of pipes and other necessary works for the transmission of water, gas or sewage on, in, under, along or across any highway under the jurisdiction of the council.
- Water, gas  
or sewage  
pipes in  
highways  
Rev. Stat.,  
c. 249

17. Subsection 1 of section 399 of *The Municipal Act*, as amended by subsection 1 of section 20 of *The Municipal Amendment Act, 1951*, is further amended by striking out the words "By-laws may be passed by the councils of cities and towns" in the first and second lines and inserting in lieu thereof the words "By-laws may be passed by the councils of local municipalities applicable to the municipality or one or more defined areas thereof", so that the subsection, exclusive of the paragraphs, shall read as follows:

Rev. Stat.,  
c. 243, s. 399,  
subs. 1,  
amended

- (1) By-laws may be passed by the councils of local municipalities applicable to the municipality or one or more defined areas thereof:

18. Section 402 of *The Municipal Act* is amended by adding thereto the following paragraph:

Rev. Stat.,  
c. 243, s. 402,  
amended

11. For installing services in land owned by the county in any municipality situated in the county, subject to the approval of the local municipality in which the land is situated, to assist in the disposal of the land for building purposes.
- Installation  
of services  
on county  
land

19. Section 406 of *The Municipal Act* is amended by adding thereto the following paragraph:

Rev. Stat.,  
c. 243, s. 406,  
amended

4. For licensing, regulating and governing persons selling newspapers and magazines upon any highway and for restricting the operations of such persons to a particular location upon a highway, and for restricting the operations of such persons to the sale of newspapers and magazines only, and for prohibiting the selling or offering for sale upon any highway of books, periodicals, pamphlets or other printed matter except newspapers and magazines, and for prohibiting the taking or soliciting of subscriptions to magazines upon any highway or in any public place, and for revoking any such licence.
- Sale of  
newspapers  
and maga-  
zines on  
streets

20.—(1) Paragraph 2a of section 413 of *The Municipal Act*, as enacted by subsection 2 of section 22 of *The Municipal Amendment Act, 1951*, is amended by inserting after the word "vehicles" in the third line the words "and driving instructors employed in such business", so that the paragraph shall read as follows:

Rev. Stat.,  
c. 243, s. 413,  
par. 2a  
(1951,  
c. 53, s. 22,  
subs. 2),  
amended

- 2a. For licensing, regulating and governing persons who carry on the business of teaching persons to
- Driving  
schools and  
instructors

operate

operate motor vehicles and driving instructors employed in such business, and for regulating and governing the equipment used in such business, and for revoking any such licence.

Fee

(a) The licence fee shall not exceed \$50.

Rev. Stat.,  
c. 243, s. 413,  
par. 14, cl. f,  
amended

(2) Clause *f* of paragraph 14 of the said section 413 is amended by inserting after the word "business" in the fourth line the words "and in respect of real property taxes on the land used for the purposes of or in connection with the business if the land is owned by the person carrying on the business", so that the clause shall read as follows:

Credit of  
fees on  
taxes

(f) The sum paid for a licence shall be credited to the person paying it, or to any *bona fide* purchaser of the business who carries on the same, on account of taxes payable in respect of the business, and in respect of real property taxes on the land used for the purposes of or in connection with the business if the land is owned by the person carrying on the business, during the year in which the licence was issued and five years thereafter.

Rev. Stat.,  
c. 243, s. 414,  
par. 3,  
repealed

**21.** Paragraph 3 of section 414 of *The Municipal Act* is repealed.

Rev. Stat.,  
c. 243, s. 417,  
re-enacted

**22.** Section 417 of *The Municipal Act* is repealed and the following substituted therefor:

Daily  
remunera-  
tion of  
councillors

417.—(1) The council of a municipality may pass by-laws for paying the members of the council for attendance at meetings of council, or of its committees, at the following rates:

- (a) in the case of a county, at a rate not exceeding \$10 a day;
- (b) in the case of a local municipality having a population of 120,000 or more, at a rate not exceeding \$15 a day;
- (c) in the case of a local municipality having a population of 20,000 or more but under 120,000, at a rate not exceeding \$12 a day;
- (d) in the case of a local municipality having a population of 10,000 or more but under 20,000, at a rate not exceeding \$10 a day;
- (e) in the case of a local municipality having a population of 5,000 or more but under 10,000, at a rate not exceeding \$8 a day;

(f)

- (f) in the case of a local municipality having a population of 2,000 or more but under 5,000, at a rate not exceeding \$6 a day;
- (g) in the case of a local municipality having a population of under 2,000, at a rate not exceeding \$5 a day.
- (2) Where a member of a council is paid remuneration under section 223, 230 or 418, such member shall not be entitled to payment under this section for attendance at meetings. Where member receives salary
- (3) In the case of a council of a county or a township, the by-law may provide for the payment of not more than 10 cents a mile for each mile necessarily travelled in attending such meetings. Mileage allowance
- (4) The provisions of this section shall be deemed to authorize payments at the rates and limitations mentioned in subsection 1 to members of the council for their services as members of any utility commission to which they are appointed under the authority of any general or special Act. Fees to council members on utility commission

**23.** Clauses *a* and *b* of subsection 1 of section 418 of *The Municipal Act* are repealed and the following substituted therefor: Rev. Stat., c. 243, s. 418, subs. 1, cls. a, b, re-enacted

- (a) where the population of a city exceeds 200,000 but is less than 300,000, an annual allowance not exceeding \$1,500 to aldermen;
- (b) where the population of a city exceeds 300,000, an annual allowance not exceeding \$1,800 to aldermen;
- (c) in addition to the amounts set out in clauses *a* and *b*, an annual allowance not exceeding \$100 to each chairman of a standing committee and to the chairman of the court of revision and of the local board of health;
- (d) in the case of any other municipality, such annual allowance as may be approved by the Department.

**24.** Section 421 of *The Municipal Act* is amended by re-lettering clause *a* as clause *aa* and by adding thereto the following clause: Rev. Stat., c. 243, s. 421, amended

- (a) in the case of a city having a population of not less than 500,000—\$50,000.

**25.** Form 10 to *The Municipal Act* is amended by striking out the words "whose name is entered on the last revised Rev. Stat., c. 243, Form 10, amended

assessment roll has been in error" in the two lines immediately following the frame of columns and inserting in lieu thereof the words "has been".

1951  
expenditures  
on enter-  
tainment,  
etc.

**26.** For the purposes of expenditures in the year 1951 made under section 421 of *The Municipal Act*, a municipality shall be deemed to have had the authority to expend twice the amount authorized for such municipality under that section.

Commence-  
ment

**27.**—(1) This Act, except sections 9, 10, 22, 23 and 24, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 9, 22 and 23 shall be deemed to have come into force on the 1st day of January, 1952.

Idem

(3) Section 10 comes into force on the 1st day of June, 1952.

Idem .

(4) Section 24 shall be deemed to have come into force on the 1st day of January, 1951.

Short title

**28.** This Act may be cited as *The Municipal Amendment Act, 1952*.

## CHAPTER 64

## An Act to amend The Municipal Drainage Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 4 of section 8 of *The Municipal Drainage Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 246, s. 8,  
subs. 4,  
re-enacted

(4) The engineer or surveyor shall in the same manner provide for the construction or enlargement of bridges and water gates rendered necessary by the drainage work upon the lands of any owner, and

Farm  
bridges

(a) shall fix the value of the construction or enlargement thereof to be paid to the respective owners entitled thereto; or

(b) shall provide for the construction or enlargement thereof by the drainage scheme,

and the land assessed for the drainage work shall not nor shall any municipal corporation be liable for keeping such bridges and water gates in repair, but should the engineer or surveyor deem it proper that any of such bridges or water gates be maintained by the drainage scheme he may so provide by his report.

2. This Act may be cited as *The Municipal Drainage Amendment Act, 1952*.

Short title





## CHAPTER 65

# An Act to provide for Adjustment of Provincial Grants or Subsidies after Municipal Annexations

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Where an area of a municipality is annexed to an urban municipality, the Minister of the Department concerned may adjust the provincial grants or subsidies payable under *The Police Act*, *The Fire Departments Act* or *The Highway Improvement Act* so that such grants or subsidies will be payable on the same basis, for a period of five years after the annexation, as they would have been if the annexation had not taken place, and may further adjust the grants or subsidies on a progressively reduced basis during the next succeeding five years.

Adjustment  
of grants  
or subsidies  
upon  
annexation  
Rev. Stat.,  
cc. 279,  
138, 166

(2) Subsection 1 will apply only where the area annexed contains 10 per cent or more of the resident population of the municipality from which the area is detached, as certified by the clerk of such municipality.

Application  
of section

**2.** This Act shall be deemed to have come into force on the 1st day of January, 1950.

Commence-  
ment

**3.** This Act may be cited as *The Municipal Subsidies Adjustment Act*, 1952.

Short title



## CHAPTER 66

**An Act to assist Municipalities by Providing  
for Payments by Ontario to Municipalities  
in Lieu of Taxes**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "Board" means Ontario Municipal Board;
- (b) "Crown agency" means an agency of the Crown in right of Ontario, but does not include The Hydro-Electric Power Commission of Ontario;
- (c) "Department" means Department of Municipal Affairs;
- (d) "highways" means highways, docks, ferries, wharfs, parking lots in connection therewith, land held to provide clear view at road junctions and railroad crossings, and land acquired and held for future highways;
- (e) "municipality" means a city, town, village, township or improvement district;
- (f) "provincial property" means real property owned by the Crown in right of Ontario or by any Crown agency, but does not include property owned or held in trust by The Hydro-Electric Power Commission of Ontario;
- (g) "rates levied for general municipal purposes" includes all levies upon real property made by a municipality except levies for school purposes and levies on business assessment;
- (h) "real property" includes buildings and structures erected thereon.

- Limitation      **2.—**(1) Nothing in this Act confers a right to a payment.
- Idem            (2) Nothing in this Act authorizes a municipality to levy taxes on provincial property or against the Crown in right of Ontario or any Crown agency.
- Valuation      **3.—**(1) All provincial property in a municipality shall be valued in each year for the purposes of this Act by the Department.
- Basis            (2) The valuation shall be made on the same basis as real property liable for municipal taxation in the municipality is valued.
- Railroads      (3) Real property of railroads owned by the Crown in right of Ontario or any Crown agency in a municipality shall be valued in the same way, on the same basis, and to the same extent as railroads in the municipality are valued under *The Assessment Act*.
- Rev. Stat.,  
c. 24            (3) Real property of railroads owned by the Crown in right of Ontario or any Crown agency in a municipality shall be valued in the same way, on the same basis, and to the same extent as railroads in the municipality are valued under *The Assessment Act*.
- Valuation  
notice          (4) The Department shall, on completion of the valuation of the provincial property in a municipality, deliver or mail to the clerk of the municipality a notice setting out the valuation on each parcel of provincial property in the municipality.
- Idem            (5) The Department shall also deliver or mail a copy of such notice to any agency of the Crown in right of Ontario in respect of land owned by such agency.
- Exception      (6) This Act does not apply to unpatented lands, provincial property used for park purposes including the buildings in the parks, hospitals, penal and reform institutions, educational institutions, museums and libraries, highways, jails, cemeteries, minerals, farms operated by institutions, experimental and demonstration farms, cooling stations, weigh-scales and inspection stations, fish hatcheries, provincial forests and real property subject to municipal taxation under section 32 of *The Assessment Act*, or acquired or held for the purpose of a housing project, or any provincial property for which, in the opinion of the Minister of Municipal Affairs, municipal services are not available.
- Minister's  
decision        (7) The decision of the Minister of Municipal Affairs as to whether this Act applies to any provincial property shall be final.
- Appeals        **4.—**(1) The municipality, the Department on behalf of the Crown in right of Ontario or on behalf of any Crown agency, and any Crown agency in respect of provincial property owned or occupied by it, may appeal to the Board against the valuation.

(2) A notice of appeal to the Board under this section <sup>Notice</sup> shall be sent by the party appealing, by registered mail, to the secretary of the Board within twenty-one days after the notice of the valuation has been delivered or mailed under subsection 4 of section 3.

(3) Upon receipt of a notice of appeal under this section, <sup>Hearing</sup> the secretary of the Board shall arrange a time and place for hearing the appeal and shall send notice thereof to all parties concerned in the appeal at least fourteen days before the hearing.

(4) The Board upon appeal shall determine the amount <sup>Jurisdiction</sup> at which the property in question shall be valued. <sup>on appeal</sup>

(5) The decision of the Board shall be final and binding <sup>Decision</sup> and there shall be no appeal therefrom. <sup>final</sup>

**5.—**(1) The Department, in respect of provincial property <sup>Payments</sup> owned by the Crown in right of Ontario and not occupied by a Crown agency, may pay in each year to the municipality in which the property is situate the amount which the rate levied for general municipal purposes in that municipality, based on the value determined for such property in the preceding year under this Act, would produce.

(2) Every Crown agency, in respect of provincial property <sup>Idem</sup> owned or occupied by it, may pay in each year to the municipality in which the property is situate the amount which the rate levied for general municipal purposes in that municipality, based on the value determined for such property in the preceding year under this Act, would produce.

(3) Where the Crown in right of Ontario or any Crown <sup>Business</sup> agency occupies or uses land for the purpose of, or in connection with any business, the Department or the Crown agency, as the case may be, may pay to the municipality in which the land is situate the amount that the current rates for general municipal purposes on business assessment would produce in respect of the carrying on of such business on the land.

(4) For the purposes of subsection 3, the legislative, <sup>Idem</sup> executive and administrative activities of the Government of Ontario shall not be deemed to be the carrying on of a business.

(5) Notwithstanding subsection 6 of section 3 and notwithstanding sections 58 and 59 of *The Local Improvement Act*, <sup>Local</sup> the Department or the Crown agency may pay local improve- <sup>improve-</sup>ment assessments in respect of any provincial property. <sup>ments</sup> <sup>Rev. Stat.,</sup> <sup>c. 215</sup>

Funds for  
payments

**6.**—(1) In respect of provincial property owned and occupied by the Crown in right of Ontario, the moneys required for the purposes of this Act shall be payable out of such moneys as may be appropriated therefor by the Legislature.

Idem

(2) In respect of provincial property owned or occupied by a Crown agency, the moneys required for the purposes of this Act shall be payable out of the funds of the agency.

1952  
payments

**7.** Notwithstanding section 5, the payments made in the year 1952 shall be based on the valuation of provincial property made in that year under this Act, and if for any reason the completion of the valuation is delayed beyond the 31st day of December, 1952, the valuation when completed shall be deemed to have been made in 1952.

Application  
of Act

**8.** The provisions of this Act shall apply notwithstanding anything in any other general or special Act or any agreement heretofore made.

Rev. Stat.,  
c. 376, s. 11,  
amended

**9.**—(1) Section 11 of *The Stock Yards Act* is amended by striking out all the words after the word "Legislature" in the fourth line.

Rev. Stat.,  
c. 261, s. 11,  
amended

(2) Section 11 of *The Ontario Food Terminal Act* is amended by striking out all the words after the word "Legislature" in the fourth line.

Commence-  
ment

**10.** This Act shall be deemed to have come into force on the 1st day of January, 1952.

Short title

**11.** This Act may be cited as *The Municipal Tax Assistance Act, 1952*.



## CHAPTER 67

**An Act to amend The Natural Gas  
Conservation Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 7 of *The Natural Gas Conservation Act* is amended by adding thereto the following subsections: Rev. Stat.,  
c. 251, s. 7,  
amended

(5) Every order made by the Referee under this section shall be deemed to be of an administrative and not of a legislative nature. Nature of  
orders

(6) The Referee shall file with the Minister a copy of every order made by him under this section forth- Filing of  
orders with after it is made.

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Natural Gas Conservation Amendment Act, 1952*. Short title



## CHAPTER 68

# An Act to amend The Old Age Assistance Act, 1951

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *d* of section 1 of *The Old Age Assistance Act, 1951* is repealed and the following substituted therefor: 1951  
(2nd Sess.),  
c. 2, s. 1, cl. d,  
re-enacted

(*d*) "local authority" means the public welfare administrator or public welfare commissioner or such other person or persons as the public welfare administrator or public welfare commissioner designates under this Act, or if there is no public welfare administrator and no public welfare commissioner, means the clerk of the municipality or such other person as the council appoints under this Act, and includes a field worker of the Department of Public Welfare.

**2.** Section 2 of *The Old Age Assistance Act, 1951* is amended by adding thereto the following subsection: 1951  
(2nd Sess.),  
c. 2, s. 2,  
amended

(2) Assistance may be paid in accordance with the agreement made under subsection 1. Payment  
authorized

**3.** Section 9 of *The Old Age Assistance Act, 1951* is amended by adding thereto the following subsection: 1951  
(2nd Sess.),  
c. 2, s. 9,  
amended

(1*a*) A public welfare administrator or a public welfare commissioner may, subject to the approval of the Minister, designate a person or persons as local authority or local authorities in his place. Designation  
of local  
authority

**4.** This Act shall be deemed to have come into force on the 1st day of January, 1952. Commence-  
ment

**5.** This Act may be cited as *The Old Age Assistance Amendment Act, 1952*. Short title



## CHAPTER 69

**An Act to provide for the Establishment of  
The Ontario Cancer Institute**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act, "Institute" means The Ontario Cancer <sup>Interpre-</sup>  
Institute. <sup>tation</sup>

**2.** There shall be a body corporate to be known as The <sup>Institute</sup>  
Ontario Cancer Institute composed of nine members appointed <sup>established</sup>  
by the Lieutenant-Governor in Council as follows:

- (a) two persons representing and nominated by The Ontario Cancer Treatment and Research Foundation;
- (b) the chairman of the Board of Trustees of the Toronto General Hospital and two persons representing and nominated by the Board of Trustees of the Toronto General Hospital;
- (c) two persons representing and nominated by the Governors of the University of Toronto;
- (d) one person representing and nominated by the governing body of St. Michael's Hospital; and
- (e) one person representing and nominated by the Board of Governors of The Toronto Western Hospital.

**3.—(1)** The members appointed under section 2 shall be <sup>Board of</sup>  
known as the Board of Trustees of the Institute, and five <sup>Trustees</sup>  
members thereof shall constitute a quorum.

**(2)** The chairman of the Board of Trustees of the Toronto <sup>Chairman</sup>  
General Hospital shall be the chairman of the Board of  
Trustees of the Institute.

Head  
office

**4.** The head office of the Institute shall be at or near the City of Toronto.

Objects and  
powers

**5.** The objects of the Institute shall be and it shall have power to plan, construct and establish buildings and other accommodations for,

(a) research in cancer;

(b) the diagnosis and treatment of cancer; and

(c) the observation of and consultation with persons suffering from or believed to be suffering from cancer.

## By-laws

**6.** Subject to the approval of the Lieutenant-Governor in Council, the Board of Trustees of the Institute may make such by-laws, rules or regulations as may be deemed expedient for the constitution of the Institute and the administration of its affairs and may do such other things as may be necessary or advisable to carry out its objects.

Remunera-  
tion and  
expenses

**7.** No member of the Institute shall receive any remuneration for his services, but each member shall be paid his proper travelling and other expenses incurred in the work of the Institute.

## Funds

**8.** The funds of the Institute shall consist of moneys received by it from any source, including The Ontario Cancer Treatment and Research Foundation, and the Institute may disburse, expend or otherwise deal with any of its Funds in such manner as it may deem proper.

## Audit

**9.** The accounts of the Institute shall be audited annually by the provincial Auditor or by such auditor as the Lieutenant-Governor in Council may designate, and the cost of the audit shall be paid out of the funds of the Institute.

Annual  
report

**10.** The Board of Trustees of the Institute shall make a report annually to the Minister of Health and such report shall contain a financial statement certified by the auditor showing all moneys received and disbursed by the Institute during the previous fiscal year, and such other information as the Minister may require.

Commence-  
ment

**11.** This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

## Short title

**12.** This Act may be cited as *The Ontario Cancer Institute Act, 1952*.



## CHAPTER 70

**An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The Lieutenant-Governor in Council is hereby authorized to raise from time to time by way of loan such sum or sums of money as may be deemed expedient for any or all of the following purposes: for the public service, for works carried on by commissioners on behalf of Ontario, for discharging any indebtedness or obligation of Ontario or for reimbursing the Consolidated Revenue Fund for any moneys expended in discharging any such indebtedness or obligation and for the carrying on of the public works authorized by the Legislature; provided that the principal amount of any securities issued and the amount of any temporary loans raised under this Act, including any securities issued for the retirement of such securities or temporary loans, at any time outstanding, shall not exceed in the whole \$100,000,000. Loans up to \$100,000,000 authorized

**2.** Any such sum or sums of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund and shall be chargeable thereupon. Term and rate to be fixed by Lieutenant-Governor in Council

**3.** The Lieutenant-Governor in Council may provide for a special sinking fund with respect to any issue of securities authorized under this Act. Sinking fund

**4.** This Act comes into force on the day it receives Royal Assent. Commencement

**5.** This Act may be cited as *The Ontario Loan Act, 1952*. Short title



## CHAPTER 71

**An Act to amend The Ontario Municipal Board Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 57 of *The Ontario Municipal Board Act* is repealed and the following substituted therefor: Rev. Stat., c. 262, s. 57, re-enacted

57. A municipality may apply to the Board for its approval of any by-law the passing of which has been authorized by an order of the Board made pursuant to section 67. Voluntary application for approval of by-laws

2. Subsection 2 of section 79 of *The Ontario Municipal Board Act* is amended by striking out the words "by the publication of the notice for any period not less than three weeks in *The Ontario Gazette*, and also, if required, in any other newspaper" in the fifth, sixth and seventh lines and inserting in lieu thereof the words "in such manner as the Board directs", so that the subsection shall read as follows: Rev. Stat., c. 262, s. 79, subs. 2, amended

(2) If, in any case within the jurisdiction of the Board, it is made to appear to the satisfaction of the Board that service of any such notice cannot conveniently be made in the manner provided in subsection 1, the Board may order and allow such service to be made in such manner as the Board directs, and such publication in each case shall be deemed to be equivalent to service in the manner provided in subsection 1. Service by publication

3. Section 103 of *The Ontario Municipal Board Act* is repealed and the following substituted therefor: Rev. Stat., c. 262, s. 103, re-enacted

103.—(1) The Board shall, after the close of each calendar year, make an annual report upon the affairs of the Board to the Minister of Municipal Affairs who shall file it with the Provincial Secretary. Annual report

(2)

Tabling

(2) The Provincial Secretary shall submit the report to the Lieutenant-Governor in Council and shall then lay the report before the Assembly, if it is in session, or if not, at the next ensuing session.

Commence-  
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Ontario Municipal Board Amendment Act, 1952*.

## CHAPTER 72

**An Act to amend The Parole Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *b* of section 1 of *The Parole Act* is amended by inserting after the word "parole" where it occurs the first and second times the words "and rehabilitation", so that the clause shall read as follows: Rev. Stat., c. 268, s. 1, cl. b, amended

(*b*) "parole and rehabilitation officer" includes the chief parole and rehabilitation officer.

**2.** Section 2 of *The Parole Act* is amended by striking out the word "six" in the second line and inserting in lieu thereof the word "nine", so that the section shall read as follows: Rev. Stat., c. 268, s. 2, amended

2. The Board of Parole heretofore constituted is continued and shall be composed of not more than nine persons appointed by the Lieutenant-Governor in Council. Constitution of Board

**3.** Section 4 of *The Parole Act* is amended by inserting after the word "parole" where it occurs the first and second times in the second line the words "and rehabilitation", so that the section shall read as follows: Rev. Stat., c. 268, s. 4, amended

4. The Lieutenant-Governor in Council may appoint a secretary of the Board, a chief parole and rehabilitation officer and such parole and rehabilitation officers as he may deem necessary. Secretary, officers

**4.—(1)** Subsection 1 of section 5 of *The Parole Act* is amended by inserting after the word "parole" in the second line the words "and rehabilitation", so that the subsection shall read as follows: Rev. Stat., c. 268, s. 5, subs. 1, amended

(1) The chairman of the Board, the secretary and the parole and rehabilitation officers may be paid such salary as may be determined by the Lieutenant-Governor in Council. Salaries

Rev. Stat.,  
c. 268, s. 5,  
subs. 3,  
amended

(2) Subsection 3 of the said section 5 is amended by inserting after the word "parole" in the second line the words "and rehabilitation", so that the subsection shall read as follows:

Travelling  
and living  
expenses

(3) The chairman and members of the Board, the secretary and the parole and rehabilitation officers shall be entitled to reasonable and necessary travelling and living expenses while absent from home on the business of the Board as certified by the chairman of the Board.

Rev. Stat.,  
c. 268, s. 7,  
amended

5. Section 7 of *The Parole Act* is amended by inserting after the word "parole" in the fourth line the words "and rehabilitation", so that the section shall read as follows:

Re-taking  
prisoners  
on breach of  
conditions  
of parole

7. In the case of prisoners referred to in subclause i of clause c of section 1, the Board may provide that a prisoner who fails to observe the conditions of his parole may be taken into custody by a parole and rehabilitation officer or by any person appointed for such purpose, and may be returned to the prison or other place from which he was paroled.

Rev. Stat.,  
c. 268, s. 12,  
subs. 1,  
amended

6. Subsection 1 of section 12 of *The Parole Act* is amended by striking out the first two lines and inserting in lieu thereof the words "The Lieutenant-Governor in Council may make regulations" and by inserting after the word "parole" where it occurs the first and second times in the second line of clause a the words "and rehabilitation", so that the first two lines and clause a shall read as follows:

Regulations

(1) The Lieutenant-Governor in Council may make regulations,

(a) defining the duties, powers and responsibilities of the Board, the chief parole and rehabilitation officer, parole and rehabilitation officers and the secretary of the Board.

Commence-  
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Parole Amendment Act, 1952*.



## CHAPTER 73

## An Act to amend The Partition Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of section 1 of *The Partition Act* is amended by Rev. Stat., adding at the end thereof the words "or the county or district c. 269, s. 1, court of the county or district in which the land or any part cl. *a*, amended thereof is situate", so that the clause shall read as follows:

(a) "court" means the Supreme Court or the county or district court of the county or district in which the land or any part thereof is situate.

2. *The Partition Act* is amended by adding thereto the Rev. Stat., following sections: c. 269, amended

- 8.—(1) Where proceedings under this Act are brought Removal of proceedings into Supreme Court in a county or district court, a respondent may, by notice served on the applicant and on the other respondents, if any, and filed with proof of service thereof with the clerk of the county or district court not later than two days preceding the day of return of the application, require the proceedings to be removed into the Supreme Court.
- (2) Upon the filing of the notice and proof of service Transmission of proceedings thereof, the clerk of the county or district court shall forthwith transmit the papers and proceedings to the proper office of the Supreme Court in the county or district in which the proceedings are brought.
- (3) When the papers and proceedings are received at Removal of proceedings the proper office of the Supreme Court, the proceedings shall *ipso facto* be removed into the Supreme Court.
9. An appeal shall lie to the Court of Appeal from any Appeal order made under this Act.

3. This Act may be cited as *The Partition Amendment Act, 1952*. Short title



## CHAPTER 74

## An Act to amend The Pharmacy Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 5 of *The Pharmacy Act* is repealed and the following substituted therefor: Rev. Stat., c. 276, s. 5, re-enacted

- 5.—(1) An election of members of the Council shall be held on the first Wednesday in August in every second year and the persons qualified to vote in any electoral district at an election shall be every member of the College whose place of business or employment is within such district and who has paid all fees payable by him under this Act. Election of members of Council
- (2) If any member of the College carries on business or is employed in more than one electoral district he may name one of such districts as being his principal place of business or employment and may vote in that district only. Member employed in more than one district
- (3) If any member of the College has no fixed place of business or employment within Ontario he may vote in the electoral district in which he resides. No fixed place of employment

2. Section 7 of *The Pharmacy Act* is amended by striking out the words "carrying on business" in the fifth line and inserting in lieu thereof the words "qualified to vote", so that the section shall read as follows: Rev. Stat., c. 276, s. 7, amended

7. A member of the Council may at any time resign by notice in writing to the registrar of the College, and in the event of such resignation or in the event of a vacancy occurring, the remaining members of the Council shall appoint a member of the College qualified to vote in the electoral district in the representation of which the vacancy occurs, to fill the same. Resignations, vacancies

Rev. Stat.,  
c. 276, s. 21,  
subs. 1,  
re-enacted

**3.** Subsection 1 of section 21 of *The Pharmacy Act* is repealed and the following substituted therefor:

Fees

- (1) There shall be payable to the registrar for the use of the College,
  - (a) by every person before he is entered upon the register, such sum not exceeding \$25 as may be determined by the by-laws of the Council;
  - (b) on such day in each year as the Council may fix by by-law by every person registered and practising as a pharmaceutical chemist, such sum not exceeding \$10 as may be determined by by-law of the Council;
  - (c) on such day in each year as the Council may fix by by-law by every person registered and practising as a pharmaceutical chemist as owner or as manager of the business of a pharmaceutical chemist or as manager of a dispensary, in addition to the sum paid under clause *b*, such sum not exceeding \$15 as may be determined by by-law of the Council; and
  - (d) on such day in each year as the Council may fix by by-law by every registered pharmaceutical chemist who is a director of an incorporated company carrying on the business of a pharmaceutical chemist, in addition to the sums paid under clauses *b* and *c*, such sum not exceeding \$15 as may be determined by by-law of the Council.

Rev. Stat.,  
c. 276, s. 29,  
amended

**4.** Section 29 of *The Pharmacy Act* is amended by inserting after the word "registered" in the third line the words "as pharmaceutical chemists", so that the section shall read as follows:

Shops kept  
by incor-  
porated  
companies

29. No incorporated company shall do any of the acts prohibited by section 28 unless the majority of the directors thereof are duly registered as pharmaceutical chemists under this Act, and no person not so registered shall in any way interfere with or take part in the management and conduct of such shop, and anything done or omitted which would be an offence under this Act if done or omitted by an individual shall be an offence by each of such registered directors, and by such company, and the prosecution of any one or more of them shall not be a bar to the prosecution of the other or others.

Short title

**5.** This Act may be cited as *The Pharmacy Amendment Act, 1952*.

## CHAPTER 75

## An Act to amend The Planning Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *c* of section 1 of *The Planning Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 277, s. 1,  
cl. *c*,  
re-enacted

- (*c*) "housing project" means a project designed to provide housing accommodation, or to facilitate in any way the provision of housing accommodation, with or without any public space, recreational facilities and commercial space or buildings appropriate thereto.

**2.** Subsections 1, 2 and 3 of section 2 of *The Planning Act* are repealed and the following substituted therefor:

Rev. Stat.,  
c. 277, s. 2,  
subss. 1-3,  
re-enacted

- (1) The Minister, upon the application of the council of a municipality or the councils of two or more municipalities, or upon his own initiative where in his opinion it is in the interest of any area, may define and name a planning area.

Establish-  
ment of  
planning  
areas

- (2) The planning area shall consist of one municipality or of such municipalities and parts of municipalities as in the opinion of the Minister constitute a complete planning unit having regard to the purposes for which the planning area is defined, and the Minister may include in the area any territory without municipal organization that adjoins a municipality or part of a municipality included in the planning area.

Constitu-  
tion of  
area

- (3) Where the planning area includes more than one municipality, the Minister shall designate the municipality that shall formulate the official plan, and may designate the scope and general purpose thereof.

Designated  
municipality

Rev. Stat.,  
c. 277, s. 3,  
amended

3. Section 3 of *The Planning Act* is amended by adding thereto the following subsection:

Where  
unorganized  
territory

- (2) Where the planning area consists of one municipality and territory without municipal organization, the appointment of the planning board shall be subject to the approval of the Minister.

Rev. Stat.,  
c. 277,  
amended

4. *The Planning Act* is amended by adding thereto the following sections:

Planning  
area in  
unorganized  
territory

- 4a. The Minister may define and name a planning area consisting of territory without municipal organization and may appoint a planning board for the area.

Dissolution  
or altera-  
tion of  
planning  
area

- 4b. The Minister may dissolve or alter the boundaries of any planning area, but where an official plan is in effect in the area it shall remain in effect, notwithstanding the dissolution or alteration, until altered in accordance with this Act.

Rev. Stat.,  
c. 277, s. 5,  
re-enacted

5. Section 5 of *The Planning Act* is repealed and the following substituted therefor:

Special  
provisions

5. Notwithstanding anything in this Act, the Minister may, in order to suit the special needs of any planning area, vary the constitution of the board, the procedures by which it is appointed and the manner in which it is to function, and may make special provisions relating to the adoption and approval of the official plan of the planning area.

Rev. Stat.,  
c. 277, s. 7,  
re-enacted

6. Section 7 of *The Planning Act* is repealed and the following substituted therefor:

Finances

- 7.—(1) Where the planning area consists of one municipality or of one municipality and territory without municipal organization, the planning board shall submit annually to the council an estimate of its financial requirements for the year and the council may amend such estimate and shall pay to the secretary-treasurer of the board out of the moneys appropriated for the board such amounts as may be requisitioned from time to time.

Estimates

- (2) Where the planning area consists of more than one municipality, the planning board shall submit its estimates to the council of each municipality included in the area, and shall submit with the estimates a statement as to the proportion thereof to be chargeable to each of the municipalities.

Approval

- (3) If the estimates are approved, or are amended and approved, by the councils of municipalities in the

area



area representing more than one-half of the population of the area, the estimates shall be binding on all the municipalities in the area.

- (4) After the estimates have been approved as provided in subsection 3, the planning board shall so notify each municipality in the area, and shall notify each municipality of the total approved estimates and the amount thereof chargeable to it, based on the apportionment set out in the statement submitted under subsection 1. <sup>Notice</sup>
- (5) If the council of any municipality is not satisfied with the apportionment, it may, within fifteen days after receiving the notice under subsection 4, notify the planning board and the secretary of the Ontario Municipal Board that it desires the apportionment to be made by the Ontario Municipal Board. <sup>Where apportionment unsatisfactory</sup>
- (6) The Ontario Municipal Board shall hold a hearing and determine the apportionment and its decision shall be final. <sup>Power of Municipal Board</sup>
- (7) Each municipality shall pay to the secretary-treasurer of the planning board such amounts as may be requisitioned from time to time up to the amount determined by the planning board under subsection 4 or by the Ontario Municipal Board under subsection 6, as the case may be. <sup>Payments</sup>
- (8) Where a planning area includes all or a majority of the municipalities forming part of a county for municipal purposes and one or more separated municipalities, the Minister may, for the purposes of this section, authorize the council of the county to act on behalf of the municipalities included in the area and forming part of the county for municipal purposes, and in that case the estimates and the statement of the apportionment shall be submitted only to the councils of the county and of each separated municipality in the area, and the apportionment shall be made between the county and such municipalities, and subsections 1 to 7 shall apply *mutatis mutandis* except that the estimates must be approved by the councils of the county and of each separated municipality. <sup>County acting on behalf of its municipalities</sup>
- (9) Where a county is chargeable under subsection 8, it shall recover its payments as part of the county rates from the municipalities on behalf of which it acts in the manner provided in section 91 of *The Assessment Act*. <sup>Recovery by county</sup> <sup>Rev. Stat., c. 24</sup>

Grants,  
municipal

7a.—(1) Any municipality within or partly within the planning area may make grants of money to the planning board.

county

(2) The county in which a planning area or part thereof is situate may make grants of money to the planning board.

Rev. Stat.,  
c. 277, s. 15,  
re-enacted

7. Section 15 of *The Planning Act* is repealed and the following substituted therefor:

Committee  
of adjust-  
ment

15.—(1) Where an official plan is implemented by one or more by-laws, the planning board of the municipality that passed the by-law or by-laws may constitute itself or not less than three of its members as a committee of adjustment, except where the council constitutes such a committee composed of such persons, not less than three in number, as the council, subject to the approval of the Minister, deems advisable.

Disquali-  
fication

(2) Except where the planning board is the committee of adjustment, no member of the council of the municipality and no employee of the municipality or of a local board thereof shall be eligible to be a member of the committee of adjustment, whether it is constituted by the planning board or the council.

Term of  
office

(3) Where the committee is constituted by the planning board, the members shall remain in office during the pleasure of the planning board.

Idem

(4) Where the committee is constituted by the council, the members shall hold office for three years, provided that on the first appointment the council shall designate members who shall hold office,

(a) until the 1st day of January of the year following the date of appointment;

(b) until the 1st day of January of the second year following the date of appointment; and

(c) until the 1st day of January of the third year following the date of appointment,

respectively, so that as nearly as possible one-third of the members shall retire each year.

Reappoint-  
ment

(5) The members shall hold office until their successors are appointed and approved, and shall be eligible for reappointment.

- (6) Where a member ceases to be a member before the <sup>Vacancies</sup> expiration of his term, the council, with the approval of the Minister, shall appoint another eligible person for the unexpired portion of the term.
  - (7) A majority of the members shall constitute a quorum. <sup>Quorum</sup>
  - (8) The members of a committee shall elect one of <sup>Chairman</sup> themselves as chairman, and when the chairman is absent, through illness or otherwise, the committee may appoint another member to act as chairman *pro tempore*.
  - (9) The committee shall appoint a secretary-treasurer <sup>Employees</sup> who may be a member of the committee, and may engage such employees and consultants as is deemed expedient, within the limits of the moneys appropriated for the purpose.
  - (10) The members of the committee shall be paid such <sup>Remuneration</sup> compensation as the council may provide.
  - (11) The secretary-treasurer shall keep on file in his <sup>Filing of documents, etc.</sup> office minutes and records of all applications and the decisions thereon and of all other official business of the committee, and section 234 of *The Municipal Act* <sup>Rev. Stat., c. 243</sup> shall apply *mutatis mutandis* to such documents.
  - (12) The committee, subject to the approval of the <sup>Rules</sup> Minister, may adopt such general rules and rules of procedure as it deems necessary.
- 15a.—(1) The committee, upon the application of the <sup>Powers of committee, general</sup> owner of any land, building or structure affected by any by-law that implements an official plan, may, notwithstanding any other Act, authorize such minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, provided that in the opinion of the committee the general intent and purpose of the by-law and of the official plan is maintained.
- (2) In addition to its powers under subsection 1, the <sup>special</sup> committee, upon any such application,
    - (a) where any land, building or structure, on the day the by-law was passed, was used for a purpose prohibited by the by-law, may permit,

- (i) the enlargement or extension of the building or structure, provided that the land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day the by-law was passed, and provided that no permission may be given to enlarge or extend the building or structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed, or
  - (ii) the use of such land, building or structure for a purpose which, in the opinion of the committee, conforms more closely to the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed, provided that the land, building or structure continues to be used in the same manner and for the same purpose as is authorized by the decision of the committee;
- (b) where the land, building or structure adjoins any area in which the permitted uses differ from those permitted in the area in which it is situate, may permit the extension or enlargement, into the adjoining area, of the land, building or structure to such an extent as, in the opinion of the committee, is in keeping with the general intent and purpose of the by-law and of the official plan; or
- (c) where the uses of land, building or structure permitted in the by-law are defined in general terms, may permit the use of any land, building or structure for any purpose which, in the opinion of the committee, conforms with the uses permitted in the by-law.

Time for  
hearing

- (3) The hearing on any application shall be held within thirty days after the application is received by the secretary-treasurer.

Notice of  
hearing

- (4) The committee, before hearing an application, shall give notice thereof in such manner and to such persons as the committee deems proper.

- (5) The committee may require that a fee of not more <sup>Fees</sup> than \$25 be paid on every application.
- (6) The hearing of every application shall be held in <sup>Hearing</sup> public and the committee shall hear the applicant and every other person who desires to be heard in favour of or against the application, and the committee may adjourn the hearing or reserve its decision.
- (7) The chairman, or in his absence the acting chairman, <sup>Oaths</sup> may administer oaths.
- (8) No decision of the committee on an application <sup>Decision</sup> shall be valid unless it is concurred in by a majority of all the members of the committee, and the decision of the committee, whether granting or refusing an application, shall be in writing and shall set out the reasons for its decision, and shall be signed by the members who concur in the decision.
- (9) Any authority or permission granted by the committee may be for such time and subject to such <sup>Conditions in decision</sup> terms and conditions as the committee may deem advisable and as are set out in the decision.
- (10) Two copies of the decision, certified by the secretary-treasurer, shall be sent to the Minister, and one copy so certified shall be sent by registered mail to the applicant and to each person who appeared in person or by counsel at the hearing and requested notice of the decision, together with a notice of the last day for appealing to the Ontario Municipal Board. <sup>Notice of decision</sup>
- (11) The applicant or any person who has an interest in <sup>Appeal</sup> the matter may appeal to the Ontario Municipal Board against the decision of the committee by sending notice of appeal by registered mail to the Minister and the secretary of the Ontario Municipal Board within fourteen days after the sending of the notice under subsection 10.
- (12) If within such fourteen days no notice of appeal is <sup>Approval or reference to Municipal Board</sup> given, the Minister may approve the decision or may refer the matter to the Ontario Municipal Board.
- (13) On an appeal to the Ontario Municipal Board under subsection 11 the Board shall, or on a reference to <sup>Powers of Municipal Board</sup> the Board under subsection 12 the Board may, hold a hearing.



- |                             |  |
|-----------------------------|--|
| Idem                        | (14) The Ontario Municipal Board may dismiss any appeal, and on any appeal or reference the Board may make any decision that the committee of adjustment could have made on the original application.  |
| Costs                       | (15) The costs on the appeal or reference shall be in the discretion of the Ontario Municipal Board.   |
| Notice                      | (16) When the Minister approves of the decision of the committee, he shall so notify the committee.  |
| Idem                        | (17) When the Ontario Municipal Board makes an order on an appeal or reference, the secretary of the Board shall send a copy thereof to the committee.   |
| Idem                        | (18) The secretary-treasurer shall send to the applicant a notice of the approval of the committee's decision by the Minister, or in the event of an appeal or reference shall send to the applicant a copy of the Ontario Municipal Board's order thereon, and shall file with the clerk of the municipality a copy of the approved decision or of the order, as the case may be. |
| Effect of decision or order | (19) The decision of the committee when approved by the Minister, or the decision of the Ontario Municipal Board on an appeal or reference, shall be final and binding.  |

Rev. Stat.,  
c. 277,  
amended

**8. *The Planning Act*** is amended by adding thereto the following section:

Interpre-  
tation

16a.—(1) In this section,

- (a) “redevelopment” means the planning or re-planning, design or redesign, clearance, development, reconstruction and rehabilitation, or any of them, of a redevelopment area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary;
- (b) “redevelopment area” means an area within a municipality, the redevelopment of which in the opinion of the council is desirable because of age, dilapidation, over-crowding, faulty arrangement, unsuitability of buildings or for any other reason;
- (c) “redevelopment plan” means a general scheme, including supporting maps and texts,

approved



approved by the Ontario Municipal Board for the redevelopment of a redevelopment area.

- (2) The council of a municipality which has an official plan may, with the approval of the Minister, by by-law designate an area within the municipality as a redevelopment area. Designation of redevelopment area
- (3) When a by-law has been passed and approved under subsection 2, the municipality, with the approval of the Minister, may, Acquisition and clearance of land
  - (a) acquire land within the redevelopment area;
  - (b) hold land acquired before or after the passing of the by-law within the redevelopment area; and
  - (c) clear or otherwise prepare the land for redevelopment.
- (4) When a by-law has been passed and approved under subsection 2, the council, with the approval of the Ontario Municipal Board, may by by-law adopt a redevelopment plan for the redevelopment area. Adoption of redevelopment plan
- (5) No redevelopment plan shall be approved by the Ontario Municipal Board unless it conforms with the official plan. Conformity to official plan
- (6) A redevelopment plan adopted and approved under subsection 4 may be amended by by-law with the approval of the Ontario Municipal Board. Amendment
- (7) For the purpose of carrying out the redevelopment plan, the municipality, with the approval of the Minister, may, Powers of council re land
  - (a) construct buildings on land acquired or held by it in the redevelopment area in conformity with the redevelopment plan, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto;
  - (b) sell, lease or otherwise dispose of any land acquired or held by it in the redevelopment area to any person or governmental authority for use in conformity with the redevelopment plan.

Conditions  
of sale,  
etc.

Rev. Stat.,  
c. 243

- (8) Until a by-law or amending by-law passed under section 390 of *The Municipal Act* after the adoption of the redevelopment plan is in force in the redevelopment area, no land acquired, and no building constructed, by the municipality in the redevelopment area shall be sold, leased or otherwise disposed of unless the person or authority to whom it is disposed of agrees with the municipality that he will keep and maintain the land and building and the use thereof in conformity with the redevelopment plan until such a by-law or amending by-law is in force; but the municipality may, with the approval of the Minister, during the period of the development of the plan, lease any land or any building or part thereof in the area for any purpose, whether or not in conformity with the redevelopment plan, for a term of not more than three years at any one time.

Debentures

Rev. Stat.,  
c. 243

- (9) Notwithstanding subsection 2 of section 298 of *The Municipal Act*, debentures issued by the municipality for the purpose of this section may be for such term of years as the debenture by-law, with the approval of the Ontario Municipal Board, provides.

Rev. Stat.,  
c. 277, s. 24,  
amended

- 9.** Section 24 of *The Planning Act* is amended by adding thereto the following subsection:

Notice

- (2a) Where land within a registered plan of subdivision is deemed under the by-law not to be within a registered plan of subdivision, the clerk of the municipality shall, within ten days after the by-law is passed, send notice of the passing of the by-law by registered mail to the last known address of each person appearing by the last revised assessment roll to be the owner of any of such land.

Rev. Stat.,  
c. 277, s. 25,  
amended

- 10.** Section 25 of *The Planning Act*, as amended by section 4 of *The Planning Amendment Act, 1951*, is further amended by adding thereto the following subsection:

Revocation  
or amend-  
ment

- (1b) The Minister may, by order, revoke or amend any order made under subsection 1.

Rev. Stat.,  
c. 277, s. 26,  
subs. 5,  
amended

- 11.—(1)** Subsection 5 of section 26 of *The Planning Act* is amended by inserting after the word "be" in the fourth line the words "conveyed to the municipality or if the land is not in a municipality shall be", so that the subsection shall read as follows:

- (5) The Minister may impose as a condition to the approval of a plan of subdivision that land to an amount determined by the Minister but not exceeding five per cent of the land included in the plan shall be conveyed to the municipality or if the land is not in a municipality shall be dedicated for public purposes, other than highways, and that highways shall be dedicated adequate for the needs of the subdivision, and when the subdivision abuts on an existing highway, that sufficient land, other than land occupied by buildings or structures, shall be dedicated to provide for the widening of the highway to a width of not more than 43 feet, or in the case of the King's Highway 50 feet, from the centre line of the highway as originally established.

Dedication  
of land  
for public  
and highway  
purposes

- (2) The said section 26 is amended by adding thereto the following subsections:

Rev. Stat.,  
c. 277, s. 26,  
amended

- (5a) Where the land is in a municipality and an official plan, indicating the amount and location of the land to be ultimately provided for public purposes, is in effect in the municipality, the Minister may authorize, in lieu of the conveyance required under subsection 5, the payment to the municipality of a sum of money not exceeding the value of five per cent of the land included in the subdivision.

Cash pay-  
ment in  
lieu of  
conveyance

- (5b) Land conveyed to a municipality under subsection 5 shall be held and used by the municipality for public purposes, but may be sold with the approval of the Minister.

Use and  
sale of  
land

- (5c) All moneys received by the municipality under subsection 5a, and all moneys received on the sale of land under subsection 5b, shall be paid into a special account and shall be expended only for the purchase, with the approval of the Minister, of land to be held and used by the municipality for public purposes.

Special  
account

- (5d) The Minister may refer any application for his approval of the sale or purchase of land under subsection 5b or 5c respectively to the Ontario Municipal Board, in which case the approval of the Board shall have the same effect as if it were the approval of the Minister, and the decision of the Board shall be final.

Reference  
to Municipal  
Board

**12.**—(1) This Act, except section 6, comes into force on the 1st day of May, 1952.

Commence-  
ment

Idem

(2) Section 6 comes into force on the 1st day of January, 1953.

Short  
title

**13.** This Act may be cited as *The Planning Amendment Act, 1952*.

## CHAPTER 76

## An Act to amend The Plant Diseases Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *e* of section 1 of *The Plant Diseases Act* is <sup>Rev. Stat., c. 278, s. 1,</sup> amended by inserting after the word “where” in the first <sup>cl. *e*,</sup> line the words “fruit trees, fruit stock or ornamental”, so <sup>amended</sup> that the clause shall read as follows:

(*e*) “nursery” means any place where fruit trees, fruit stock or ornamental plants are propagated for sale.

(2) Clause *g* of the said section 1 is amended by inserting <sup>Rev. Stat., c. 278, s. 1,</sup> after the word “disease” where it occurs the second time in <sup>cl. *g*,</sup> the first line the words “or injury”, so that the clause shall <sup>amended</sup> read as follows:

(*g*) “plant disease” means any disease or injury caused by any insect, virus, fungus, bacterium or other organism which is designated a plant disease in the regulations.

**2.** This Act may be cited as *The Plant Diseases Amendment* <sup>Short title</sup> *Act, 1952.*





## CHAPTER 77

## An Act to amend The Power Commission Act

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 36 of *The Power Commission Act* is amended by Rev. Stat., c. 281, s. 36, amended inserting after the article "the" in the sixth line the word "generation", so that the section shall read as follows:

36. In the exercise of the powers conferred and in Powers of Commission as to lines on highways carrying out any work authorized by this Act or any other general or special Act, the Commission has and always has had authority to put down, carry, construct, erect and maintain such conduits, wires, poles, towers and other equipment and works used in the generation, transmission and distribution of electrical power and energy as it deems necessary or desirable, under, along, across or upon any public street or highway and to remove or replace them without taking any of the proceedings prescribed by this Act for the taking of land without the consent of the owner thereof, and the provisions of this Act with regard to compensation for lands so taken shall not apply, but the location of any such conduits, wires, poles, towers, equipment or works to be put down, carried, constructed or erected under, along, across or upon a public street or highway shall be agreed upon by the Commission and the municipal corporation or other authority having control of the public street or highway, and in case of disagreement shall be determined by the Ontario Municipal Board.

2. Section 41 of *The Power Commission Act*, as amended Rev. Stat., c. 281, s. 41, re-enacted by section 4 of *The Power Commission Amendment Act, 1951*, is repealed and the following substituted therefor:

41. The compulsory powers conferred by this Act or by Powers of expropriation *The Niagara Development Act, 1951* or by *The St. Lawrence Development Act, 1952* shall extend to land, 1951, c. 55, 1952, c. 100 works,

works, rights, powers, privileges and property notwithstanding anything in this Act or in any general or special Act and notwithstanding that they are or may be deemed to be devoted to a municipal or any other public use or that the owner thereof possesses the power of taking land compulsorily and notwithstanding the origin, nature or sources of the owner's title thereto, whether statutory or otherwise, or the manner whereby it was acquired by the owner or by any of his predecessors in title.

Rev. Stat.,  
c. 281,  
amended

**3.** *The Power Commission Act* is amended by adding thereto the following section:

Continuance  
of easements,  
etc.

43a. Notwithstanding anything in any other Act, where any right, interest, way, privilege, permit or easement has heretofore been, or is hereafter acquired by the Commission, in, through, over, under, along, upon, across or affecting any land, unless it is otherwise agreed, the land shall continue subject thereto for the term thereof and it shall be binding upon the owner at the time of acquisition and all subsequent owners of the land until expiration or release by the Commission.

Rev. Stat.,  
c. 281, s. 45,  
subss. 1-3,  
repealed

**4.** Subsections 1, 2 and 3 of section 45 of *The Power Commission Act* are repealed.

Rev. Stat.,  
c. 281,  
amended

**5.** *The Power Commission Act* is amended by adding thereto the following section:

Tax  
exemption

Rev. Stat.,  
c. 24

45a.—(1) Notwithstanding anything in *The Assessment Act* or in any other general or special Act, the Commission and its property shall not be subject to taxation for municipal or school purposes, except for local improvements.

Annual  
payments  
to municipi-  
palities

(2) The Commission shall pay in each year to any municipality in which are situated lands owned by and vested in the Commission or buildings used exclusively for executive and administrative purposes and owned by and vested in the Commission or buildings owned by and vested in the Commission and rented by the Commission to other persons, the total amount that all rates, except, subject to subsections 3 and 4, rates on business assessment, levied in that municipality for taxation purposes based on the assessed value of the land at the actual value thereof according to the average value of land in the locality and the assessed value of such buildings, would produce.

- (3) The Commission shall also pay the amount that the <sup>Idem</sup> current rates on business assessment on the lands or buildings referred to in subsection 2, not including any lands referred to in subsection 4, would produce based on the applicable percentage of the assessed value provided for in subsection 2.
- (4) The Commission shall also pay the amount that the <sup>Idem</sup> current rates on business assessment would produce on land and buildings owned or occupied by the Commission for carrying on the business of selling by retail electrical goods, supplies or appliances.
- (5) The payments received under subsections 2, 3 and 4 shall be credited by the municipality to the general <sup>Credit to municipal general fund</sup> fund of the municipality.
- (6) The assessments and assessed values referred to in <sup>Valuation</sup> this section shall be valuations made in each year for the purposes of this section by the Department of Municipal Affairs, and subject to subsections 2, 3 and 12 the valuations shall be made on the same basis as real property liable for municipal taxation in the municipality.
- (7) The decision of the Minister of Municipal Affairs <sup>Minister's decision</sup> as to whether this section applies to any property of the Commission shall be final.
- (8) The Department of Municipal Affairs shall, on completion of the valuation of the Commission's property in a municipality, deliver or mail to the clerk of the municipality and to the Commission a notice <sup>Valuation notice</sup> setting out the valuations referred to in subsection 6.
- (9) The municipality or the Commission may appeal <sup>Appeals</sup> to the Ontario Municipal Board against the valuation and a notice of appeal to the Board under this subsection shall be sent by the party appealing, by registered mail, to the secretary of the Board within twenty-one days after the notice of the valuation has been delivered or mailed under subsection 8.
- (10) Upon receipt of a notice of appeal under this section, <sup>Hearing</sup> the secretary of the Ontario Municipal Board shall arrange a time and place for hearing the appeal and shall send notice thereof to all parties concerned in the appeal at least fourteen days before the hearing.
- (11) The Ontario Municipal Board upon appeal shall <sup>Jurisdiction on appeal</sup> determine the amount at which the property in question

question shall be valued and its decision shall be final and binding and there shall be no appeal therefrom

#### Exemptions

- (12) In making the valuations referred to in subsection 6, there shall be no value included for machinery whether fixed or not nor the foundation on which it rests, works, structures other than buildings referred to in subsection 2 or 4, substructures, superstructures, rails, ties, poles, towers, lines nor any of the things excepted from exemption from taxation by paragraph 17 of section 4 of *The Assessment Act*, nor other property, works or improvements not referred to in subsection 2 or 4, nor to an easement or the right or use of occupation or other interest in land not owned by the Commission.

Rev. Stat.,  
c. 24

Rev. Stat.,  
c. 281, s. 46,  
- amended

**6.** Section 46 of *The Power Commission Act*, as amended by section 5 of *The Power Commission Amendment Act, 1951*, is further amended by inserting after the figures "1951" in the amendment of 1951 the words and figures "and of *The St. Lawrence Development Act, 1952*", so that the section shall read as follows:

Government  
authorized  
to raise  
funds for  
works of  
Commission

Rev. Stat.,  
c. 299

1951, c. 55  
1952, c. 100

46. The Lieutenant-Governor in Council may raise by way of loan in the manner provided by *The Provincial Loans Act* such sums as the Lieutenant-Governor in Council may deem requisite for the purposes of this Act and of *The Niagara Development Act, 1951* and of *The St. Lawrence Development Act, 1952*, and the sums so raised may either be advanced to the Commission or applied by the Treasurer of Ontario in the purchase of notes, bonds, debentures or other securities of the Commission issued by the Commission under the authority of this Act.

Rev. Stat.,  
c. 281, s. 51,  
subs. 2,  
cl. e,  
amended

**7.** Clause *e* of subsection 2 of section 51 of *The Power Commission Act*, as amended by subsection 2 of section 9 of *The Power Commission Amendment Act, 1951*, is further amended by inserting after the figures "1951" in the amendment of 1951 the words and figures "or in *The St. Lawrence Development Act, 1952*", so that the clause shall read as follows:

- (e) carrying out any of the powers and purposes of the Commission referred to in sections 24 to 28, 38 and 84 or in respect of the acquisition or construction of works referred to in section 59, or carrying out any of the powers and purposes of the Commission referred to in *The Niagara Development Act, 1951* or in *The St. Lawrence Development Act, 1952*, pro-

1951, c. 55  
1952, c. 100

viding

viding in whole or in part for expenditures of the Commission made or to be made in connection therewith, reimbursing the Commission for any such expenditures heretofore or hereafter made, and repaying in whole or in part any temporary borrowings of the Commission for any of such purposes.

**8.** Section 120 of *The Power Commission Act* is amended Rev. Stat.,  
c. 281, s. 120,  
amended by adding thereto the following subsection:

- (3) Notwithstanding subsection 2, if a member of a Appointment  
of successor  
to commis-  
sioner  
appointed by  
Commission commission referred to in that subsection who is appointed by the Commission dies, or wishes to resign, or refuses to act, or becomes unable from any cause to perform his duties, the Commission may appoint a successor in his stead for the remainder of his term of office, and such successor shall be eligible for reappointment.

**9.**—(1) This Act, except sections 4 and 5, comes into force Commence-  
ment on the day it receives Royal Assent.

(2) Sections 4 and 5 shall be deemed to have come into Idem force on the 1st day of January, 1952.

**10.** This Act may be cited as *The Power Commission Short title  
Amendment Act, 1952.*





## CHAPTER 78

## An Act respecting Proceedings Against the Crown

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## 1. In this Act,

Interpre-  
tation

- (a) "agent", when used in relation to the Crown, includes an independent contractor employed by the Crown;
- (b) "Crown" means Her Majesty the Queen in right of Ontario;
- (c) "order" includes a judgment, decree, rule, award and declaration;
- (d) "proceedings against the Crown" includes a claim by way of set-off or counterclaim raised in proceedings by the Crown and includes interpleader proceedings to which the Crown is a party;
- (e) "servant", when used in relation to the Crown, includes a minister of the Crown.

2.—(1) This Act does not affect and is subject to *The Corporations Tax Act, The Highway Improvement Act, Part XIV of The Highway Traffic Act, The Income Tax Act (Ontario), The Land Titles Act* as to claims against the Assurance Fund, *The Logging Tax Act, The Succession Duty Act and The Workmen's Compensation Act.*

Acts not  
affected  
Rev. Stat.,  
cc. 72, 166,  
167; R.S.O.  
1937, c. 25;  
Rev. Stat.,  
cc. 197, 216,  
378, 430

## (2) Nothing in this Act,

Limits  
of scope  
of Act

- (a) subjects the Crown to greater liability in respect of the acts or omissions of a servant or agent of the Crown than that to which the Crown would be subject in respect of such acts or omissions if it were a person of full age and capacity; or

(b)

- (b) subjects the Crown to proceedings under this Act in respect of a cause of action that is enforceable against a corporation or other agency of the Crown; or
- (c) subjects the Crown to proceedings under this Act in respect of any act or omission of a servant of the Crown unless that servant has been appointed by or is employed by the Crown; or
- (d) subjects the Crown to proceedings under this Act in respect of anything done in the due enforcement of the criminal law or of the penal provisions of any Act of the Legislature; or

Rev. Stat.,  
cc. 106, 224

- (e) authorizes proceedings against the Crown under *The Division Courts Act* or *The Master and Servant Act*.

Right to  
sue  
without  
fiat

3. Except as provided in section 26, a claim against the Crown, that, if this Act had not been passed, might be enforced by petition of right, subject to the grant of a fiat by the Lieutenant-Governor, may be enforced as of right by proceedings against the Crown in accordance with this Act, without the grant of a fiat by the Lieutenant-Governor.

Right to  
sue without  
consent

4. A claim against a corporation of the Crown that, if this Act had not been passed, might be enforced subject to the consent of a servant of the Crown, may be enforced as of right without such consent.

Liability  
in tort

Rev. Stat.,  
c. 184

5.—(1) Except as otherwise provided in this Act and notwithstanding section 11 of *The Interpretation Act*, the Crown is subject to all liabilities in tort to which, if it were a person of full age and capacity, it would be subject,

- (a) in respect of a tort committed by any of its servants or agents;
- (b) in respect of a breach of the duties that a person owes to his servants or agents by reason of being their employer;
- (c) in respect of any breach of the duties attaching to the ownership, occupation, possession or control of property; and
- (d) under any statute, or under any regulation or by-law made or passed under the authority of any statute.

(2) No proceedings shall be brought against the Crown under clause *a* of subsection 1 in respect of an act or omission of a servant or agent of the Crown unless proceedings in tort in respect of such act or omission may be brought against that servant or agent or his personal representative.

(3) Where a function is conferred or imposed upon a servant of the Crown as such, either by a rule of the common law or by or under a statute, and that servant commits a tort in the course of performing or purporting to perform that function, the liability of the Crown in respect of the tort shall be such as it would have been if that function had been conferred or imposed by instructions lawfully given by the Crown.

(4) In proceedings against the Crown under this section, an enactment that negatives or limits the liability of a servant of the Crown in respect of a tort committed by that servant applies in relation to the Crown as it would have applied in relation to that servant if the proceedings against the Crown had been proceedings against that servant.

(5) Where property vests in the Crown independently of the acts or the intentions of the Crown, the Crown is not, by virtue of this Act, subject to liability in tort by reason only of the property being so vested; but this subsection does not affect the liability of the Crown under this Act in respect of any period after the Crown, or any servant of the Crown, has in fact taken possession or control of the property.

(6) No proceedings lie against the Crown under this section in respect of anything done or omitted to be done by a person while discharging or purporting to discharge responsibilities of a judicial nature vested in him or responsibilities that he has in connection with the execution of judicial process.

6. The law relating to indemnity and contribution is enforceable by and against the Crown in respect of any liability to which it is subject, as if the Crown were a person of full age and capacity.

7. Except as otherwise provided in this Act, proceedings against the Crown in the Supreme Court shall be instituted and proceeded with in accordance with *The Judicature Act* and the rules of court.

8. Except as otherwise provided in this Act and to any enactment limiting the jurisdiction of county and district courts, proceedings against the Crown may be instituted in a county or district court and proceeded with in accordance with *The County Courts Act* and the rules of court.

Appeals,  
stay of  
execution,  
etc.

**9.** Except as otherwise provided in this Act, all enactments and rules of court relating to appeals and stay of execution or proceedings, with necessary modifications, apply to proceedings against the Crown.

Discovery

**10.** In proceedings against the Crown the rules of the court in which the proceedings are pending as to discovery and inspection of documents and examination for discovery apply in the same manner as if the Crown were a corporation, except that the Crown may refuse to produce a document or to answer a question on the ground that the production or answer would be injurious to the public interest.

Designation  
of Crown in  
proceedings

**11.** In proceedings under this Act the Crown shall be designated "Her Majesty the Queen in right of Ontario".

Service on  
the Crown

**12.** In proceedings under this Act a document to be served on the Crown shall be served by leaving a copy with the Attorney-General or the Deputy Attorney-General or any barrister or solicitor in the office of the Attorney-General.

Trial with-  
out jury

**13.** In proceedings against the Crown trial shall be without a jury.

Interpleader

**14.** The Crown may obtain relief by way of interpleader proceedings and may be made a party to such proceedings in the same manner as a person may obtain relief by way of such proceedings, or be made a party thereto, notwithstanding that the application for relief is made by a sheriff or bailiff or other like officer, and the provisions relating to interpleader proceedings in the rules of court, subject to this Act, shall have effect accordingly.

Rights of  
parties and  
authority  
of court

**15.** Except as otherwise provided in this Act, in proceedings against the Crown the rights of the parties are as nearly as possible the same as in a suit between persons, and the court may make any order that it may make in proceedings between persons, and may otherwise give such appropriate relief as the case may require.

No injunction  
or  
specific per-  
formance  
against  
Crown

**16.**—(1) Where in proceedings against the Crown any relief is sought that might, in proceedings between persons, be granted by way of injunction or specific performance, the court shall not, as against the Crown, grant an injunction or make an order for specific performance, but in lieu thereof may make an order declaratory of the rights of the parties.

Limitation  
on injunctions  
and orders  
against  
Crown  
servants

(2) The court shall not in any proceedings grant an injunction or make an order against a servant of the Crown if the effect of granting the injunction or making the order would be to give any relief against the Crown that could not have

been



been obtained in proceedings against the Crown, but in lieu thereof may make an order declaratory of the rights of the parties.

**17.** In proceedings against the Crown in which the recovery of real or personal property is claimed the court shall not make an order for its recovery or delivery, but in lieu thereof may make an order declaring that the claimant is entitled, as against the Crown, to the property claimed or to the possession thereof. Order for recovery of property not to be made against Crown

**18.**—(1) No person may avail himself of any set-off or counterclaim in proceedings by the Crown for the recovery of taxes, duties, or penalties, or avail himself, in proceedings of any other nature by the Crown, of any set-off or counterclaim arising out of a right or claim to repayment in respect of any taxes, duties, or penalties. Restriction on set-off and counterclaim

(2) Subject to subsection 1, a person may avail himself of any set-off or counterclaim in proceedings by the Crown if the subject matter of the set-off or the counterclaim relates to a matter under the administration of the particular government department with respect to which the proceedings are brought by the Crown. Idem

**19.** Before taking any step in proceedings against the Crown, the Crown may require the claimant to provide the Crown with such information as the Crown may reasonably require as to the circumstances in which it is alleged that the liability of the Crown has arisen and as to the departments and servants of the Crown concerned. Crown may require information

**20.** In proceedings against the Crown any defence that, if the proceedings were between persons, could be relied upon by the defendant as a defence to the proceedings or otherwise may be relied upon by the Crown. Crown defences

**21.** In proceedings against the Crown judgment shall not be entered against the Crown in default of appearance or pleading without the leave of the court to be obtained on an application of which notice has been given to the Crown. No judgment by default against Crown without leave

**22.** Nothing in this Act authorizes proceedings *in rem* in respect of any claim against the Crown, or the seizure, attachment, arrest, detention or sale of any property of the Crown. Proceedings in rem

**23.** A judgment debt due to or from the Crown bears interest in the same way as a judgment debt due from one person to another. Interest on judgment debt

Prohibition  
of execu-  
tion, etc.,  
against  
Crown

**24.** No execution or attachment or process in the nature thereof shall be issued out of any court against the Crown.

Payment  
by Crown

**25.** Where an order of a court provides for the payment of money by the Crown by way of damages or costs or otherwise, the Treasurer of Ontario may pay out of the Consolidated Revenue Fund to the person entitled, or to his order, the amount due together with the interest, if any, lawfully due thereon.

Pending  
proceedings

**26.—(1)** This Act does not affect proceedings against the Crown by petition of right that have been instituted before this Act comes into force, and for the purposes of this section proceedings against the Crown by petition of right shall be deemed to have been instituted if a petition of right with respect to the matter in question has been left with the Provincial Secretary before this Act comes into force.

Petitions  
of right  
abolished

**(2)** Subject to subsection 1, proceedings against the Crown by petition of right are abolished, and, except for the purposes of subsection 1, the rules of court respecting petitions of right are rescinded.

Conflict

**27.** Where this Act conflicts with any other Act, this Act governs.

Application

**28.** No proceedings shall be brought against the Crown under this Act in respect of any act or omission, transaction, matter or thing occurring or existing before the 1st day of July, 1952.

Commence-  
ment

**29.** This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title

**30.** This Act may be cited as *The Proceedings Against the Crown Act, 1952*.



## CHAPTER 79

## An Act to amend The Professional Engineers Act

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *j* of subsection 1 of section 4 of *The Professional Engineers Act* is amended by striking out the words, symbol and figures "not exceeding \$25" in the first and second lines and by striking out the words, symbol and figures "not exceeding \$10" in the sixth line, so that the clause shall read as follows:

Rev. Stat.,  
c. 292, s. 4,  
subs. 1, cl. *j*,  
amended

- (*j*) the fixing, levying and collecting of a fee on each application for registration as a member or for a licence to practise or for recording as a graduate, undergraduate or person serving under articles and for the fixing, levying and collecting of an annual fee from each member or licensee.

**2.** Section 18 of *The Professional Engineers Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 292, s. 18,  
re-enacted

## PARTNERSHIPS, CORPORATIONS

18.—(1) A partnership, an association of persons or a corporation, as such, shall not be deemed to be a member of the Association or be licensed to practise.

Partnerships,  
corporations,  
etc.

- (2) A partnership, an association of persons or a corporation may practise professional engineering in its own name if one of its principal and customary functions is to practise professional engineering and the practice is done under the responsibility and supervision of a member of the partnership or association or a director of the corporation or under the responsibility and supervision of a full-time permanent employee of the partnership, association or corporation who in either case is a member of the Association or is licensed to practise.

Idem

Rev. Stat.,  
c. 292,  
amended

3. *The Professional Engineers Act* is amended by adding thereto the following section:

Penalty,  
partnerships,  
corporations,  
etc.

30a. Every partnership, association of persons or corporation.

(a) that practises professional engineering contrary to subsection 2 of section 18; or

being a partnership or association of persons not having as a member a person who is a member of the Association or is licensed to practise, or being a corporation not having as a director a person who is a member of the Association or is licensed to practise, or being a partnership, association of persons or corporation not having as a full-time permanent employee a person who is a member of the Association or is licensed to practise,

(b) that uses verbally or otherwise any name, title, description or designation which will lead to the belief that such partnership, association of persons or corporation is entitled to practise professional engineering; or

(c) that advertises, holds out or conducts itself in any way implying or intending to lead to the belief that such partnership, association of persons or corporation is entitled to practise professional engineering,

shall be guilty of an offence, and the partnership or the association of persons or any member thereof, or the corporation or any director thereof, on summary conviction, shall be liable to a penalty of not less than \$100 and not more than \$500 for a first offence and to a penalty of not less than \$200 and not more than \$1,000, or to imprisonment for a term of not more than three months, or both, for any subsequent offence.

Short title

4. This Act may be cited as *The Professional Engineers Amendment Act, 1952*.

## CHAPTER 80

**An Act to amend The Provincial Land Tax Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Provincial Land Tax Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 298,  
amended

6a.—(1) The Collector and every other officer appointed under section 6 shall at all reasonable times and upon reasonable request be given free access to any land in order that its value may be determined for the purposes of this Act. Right of  
access

(2) Every adult person present on land when the Collector or other officer visits the land in order that its value may be determined for the purposes of this Act shall upon request give to the Collector or other officer all the information in his knowledge that will assist in a proper assessment of the land and that will enable him to obtain the information required with respect to any person whose name is required to be entered in the register. Information  
to be given

(3) Every person who wilfully obstructs or interferes with the Collector or other officer in the performance of his duties under this Act shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than \$200. Penalty

**2.** Section 21 of *The Provincial Land Tax Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 298, s. 21,  
re-enacted

21.—(1) Where taxes imposed under this Act remain unpaid for a period of two years or more, the Collector may cause to be filed on or before the 31st day of August in any year in the proper land titles office a caution or in the proper registry office a notice of intention to give notice of forfeiture, Notice of  
forfeiture

and

and thereupon he shall cause to be sent by registered mail a notice to the person appearing from search or inquiry at the proper land titles or registry office to be the owner of the land in respect of which the default has been made and to every person appearing from such search or inquiry to have an interest therein, stating that unless the total amount of tax, penalties, interest and costs due and payable under this Act are paid on or before the 31st day of August in the year next following the land and every interest therein will be liable to be forfeited to and to be vested in the Crown on the 1st day of September in the last-mentioned year by a certificate of the Deputy Minister under his hand and seal of office, and to the amount so due and payable there shall in every case be added and paid as costs the sum of \$10.

Publication  
of notice

- (2) The Collector shall cause to be prepared a list of the lands in respect of which notices under subsection 1 have been mailed and shall cause the list to be published in one issue of *The Ontario Gazette* not later than the 31st day of October next following the mailing of the notices and giving notice that unless the total amount of tax, penalties, interest and costs shown therein are paid on or before the 31st day of August in the year next following the land and every interest therein will be liable to be forfeited to and to be vested in the Crown on the 1st day of September in the last-mentioned year by a certificate of the Deputy Minister under his hand and seal of office.

Declaration  
of forfeiture

- (3) Where the total amount of tax, penalties, interest and costs remain unpaid after the 31st day of August in the year next following the publication of the list in *The Ontario Gazette* under subsection 2, the Deputy Minister by a certificate under his hand and seal of office may on and after the 1st day of September next following declare the lands and every interest therein forfeited to and vested in the Crown, and thereupon the land and every interest therein shall vest in the Crown absolutely freed and discharged from every estate, right, title, interest, claim or demand therein or thereto, whether existing, arising or accruing before or after such forfeiture is declared, and the land may be granted, sold, leased or otherwise disposed of in the same manner as public lands may be dealt with under the laws of Ontario.

- (4) The proper master of titles or registrar of deeds shall upon receipt of the certificate duly register the same, and it shall be absolute and conclusive evidence of the forfeiture to the Crown of the land and every interest therein so certified to be forfeited, and shall not be open to attack in any court by reason of the omission of any act or thing leading up to the forfeiture. <sup>Registration of certificate</sup>

**3.** This Act comes into force on the day it receives Royal Assent. <sup>Commence-  
ment</sup>

**4.** This Act may be cited as *The Provincial Land Tax Amendment Act, 1952*. <sup>Short title</sup>





## CHAPTER 81

## An Act to amend The Provincial Loans Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Provincial Loans Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 299,  
amended

7a.—(1) The Treasurer of Ontario, when he deems it advisable for the sound and efficient management of public money or the public debt, may purchase, acquire and hold securities of Ontario and pay therefor out of the Consolidated Revenue Fund. Treasurer  
may purchase  
Ontario  
securities

(2) The Treasurer of Ontario may sell any securities purchased, acquired or held pursuant to this section, and the proceeds of such sales shall be deposited to the credit of the Consolidated Revenue Fund. Sale of  
such  
securities

2. Subsection 1 of section 12 of *The Provincial Loans Act* is amended by striking out the words "lithographed or engraved" in the fourth and fifth lines and inserting in lieu thereof the words "engraved, lithographed, printed or otherwise mechanically reproduced", so that the subsection shall read as follows: Rev. Stat.,  
c. 299,  
s. 12, subs. 1,  
amended

(1) The Lieutenant-Governor in Council may provide for the manner of executing provincial securities, and that the signature of the Treasurer of Ontario upon provincial securities and the coupons attached thereto may be engraved, lithographed, printed or otherwise mechanically reproduced, the securities being in such case countersigned by the Assistant Treasurer or such officer or officers of the Treasury Department as may be appointed for the purpose. Provincial  
securities,  
how executed

3. This Act comes into force on the day it receives Royal Assent. Commence-  
ment

4. This Act may be cited as *The Provincial Loans Amendment Act, 1952*. Short title



## CHAPTER 82

**An Act to amend The Provincial Parks Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 2 of *The Provincial Parks Act* Rev. Stat., c. 300, s. 2, subs. 1, amended is amended by striking out the words "Ipperwash Provincial Park" in the second line and the words "Rondeau Provincial Park" in the third and fourth lines, so that the subsection shall read as follows:

- (1) The public lands reserved, set apart and known as Algonquin Provincial Park, Lake Superior Provincial Park, Quetico Provincial Park and Sibley Provincial Park shall continue to be reserved, set apart and known as provincial parks. Present parks continued

**2.**—(1) Clause *b* of subsection 1 of section 11 of *The Provincial Parks Act* Rev. Stat., c. 300, s. 11, subs. 1, cl. b, re-enacted is repealed and the following substituted therefor:

- (*b*) designating parts of provincial parks in which land may be leased or occupied under licence of occupation for private, public or commercial purposes, and regulating the location of sites that may be so leased or occupied, and limiting the number of such sites that may be so leased or occupied for public or commercial purposes in each of the parts so designated;
- (*bb*) governing the granting, issue, form, renewal, transfer and cancellation of leases and licences of occupation under this Act, and prescribing their terms and conditions.

(2) Clause *f* of subsection 1 of the said section 11 is amended Rev. Stat., c. 300, s. 11, subs. 1, cl. f, amended by striking out the words "power boats on waters" in the second line and inserting in lieu thereof the word "boats", so that the clause shall read as follows:

(*f*)

(f) for issuing permits for and governing the use of boats in provincial parks.

Commence-  
ment

**3.** This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title

**4.** This Act may be cited as *The Provincial Parks Amendment Act, 1952*.

## CHAPTER 83

**An Act to amend The Public Commercial Vehicles Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 15 of *The Public Commercial Vehicles Act* is amended by adding thereto the following clause:

Rev. Stat.,  
c. 304, s. 15,  
amended

(oo) providing for the temporary exemption from the provisions of this Act or any of them of such public commercial vehicles carrying goods in bond through Ontario as he may designate upon such terms, including any limitation as to the number of vehicles affected, and subject to such conditions as he may prescribe.

**2.** This Act may be cited as *The Public Commercial Vehicles Amendment Act, 1952*.

Short title





## CHAPTER 84

## An Act to amend The Public Health Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 6 of *The Public Health Act* is repealed and the following substituted therefor: Rev. Stat., c. 306, s. 6, re-enacted

6.—(1) Any regulation made under section 5 may be limited as to time or place or to both. Regulations may be limited

(2) Regulations heretofore made shall be deemed to be general in their application unless such application is inconsistent with the intent and purpose of such regulations. Regulations heretofore made

**2.** Subsection 3 of section 12 of *The Public Health Act* is repealed and the following substituted therefor: Rev. Stat., c. 306, s. 12, subs. 3, re-enacted

(3) In a city having a population of 100,000 or over according to the enumeration of the assessors for the last preceding year, the council may by by-law provide that the local board shall consist of the mayor, the medical officer of health and,

(a) five resident ratepayers, at least two of whom shall not be members of the council; or

(b) seven resident ratepayers, at least three of whom shall not be members of the council.

(3a) The resident ratepayers referred to in clauses *a* and *b* of subsection 3 shall be appointed annually by the council at its first meeting in every year. appointment of resident ratepayers

**3.** Section 33 of *The Public Health Act* is amended by adding thereto the following subsections: Rev. Stat., c. 306, s. 33, amended

(3a) Upon the death of a medical officer of health appointed by the council of a city, the council of that city Acting medical officer of health, appointment

city may appoint, with the approval of the Minister, an acting medical officer of health who shall have all the powers of and perform the same duties as a medical officer of health. •

Tenure of  
office

- (3b) An acting medical officer of health appointed under subsection 3a shall cease to hold office three months after the death of the medical officer of health or upon the appointment of a medical officer of health, whichever first occurs.

Rev. Stat.,  
c. 306, s. 34,  
subs. 5,  
amended

4.—(1) Subsection 5 of section 34 of *The Public Health Act* is amended by inserting after the word “health” in the first line the words “or an acting medical officer of health” and by inserting after the word “health” where it occurs the first time in the seventh line the words “or the acting medical officer of health”, so that the subsection shall read as follows:

powers  
and  
duties

- (5) Where a medical officer of health or an acting medical officer of health is appointed for a health unit, the provisions of this Act with respect to the appointment of municipal officers of health for the territory included in the health unit shall not apply and the powers and duties of a medical officer of health in any such municipality shall thenceforth be exercised and performed by the medical officer of health or the acting medical officer of health for the health unit.

Rev. Stat.,  
c. 306, s. 34,  
subs. 6, cl. d,  
amended

(2) Clause *d* of subsection 6 of the said section 34 is amended by inserting after the word “health” in the second line the words “acting medical officer of health”, so that the clause shall read as follows:

- (d) respecting the appointment and the tenure of office of the medical officer of health, acting medical officer of health, school medical officers, dental officers, nurses, sanitary inspectors and other technical health workers in a health unit.

Rev. Stat.,  
c. 306, s. 110,  
repealed

5. Section 110 of *The Public Health Act* is repealed.

Commence-  
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. This Act may be cited as *The Public Health Amendment Act, 1952*.

## CHAPTER 85

## An Act to amend The Public Hospitals Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *d* of section 1 of *The Public Hospitals Act* Rev. Stat., c. 307, s. 1, amended is amended by striking out the word “incurable” in the fifth line and inserting in lieu thereof the words “chronically ill”, so that the clause shall read as follows:

(*d*) “hospital” means any institution, building or other premises or place, howsoever created, established or incorporated for the treatment of persons suffering from sickness, disease or injury, or for the treatment of chronically ill persons.

(2) Clause *e* of the said section 1 is amended by striking out the word “incurable” in the first line and inserting in lieu thereof the words “chronically ill” and by striking out the words “incurable disease” in the second line and inserting in lieu thereof the words “chronic illness”, so that the clause shall read as follows: Rev. Stat., c. 307, s. 1, amended

(*e*) “chronically ill person” means any person afflicted with or suffering from any chronic illness, sickness, injury or other condition of a permanent nature requiring treatment.

**2.** Section 4 of *The Public Hospitals Act* is amended by adding thereto the following clause: Rev. Stat., c. 307, s. 4, amended

(*cc*) prescribing the matters upon which by-laws are to be passed by hospitals.

**3.** Section 10 of *The Public Hospitals Act* is amended by striking out the word “incurables” in the second and third lines and inserting in lieu thereof the words “the chronically ill”, so that the section shall read as follows: Rev. Stat., c. 307, s. 10, amended

10. Subject to the provisions of any existing agreement relating thereto, every hospital, other than a hos- Medical students' clinics

pital

pital for the chronically ill, receiving provincial aid under this Act shall provide such reasonable facilities for giving instruction to medical students of any university as may be required by the regulations.

Rev. Stat.,  
c. 307, s. 11,  
amended

4. Section 11 of *The Public Hospitals Act* is amended by striking out the word "incurables" where it occurs in the second and fifth lines respectively and inserting in lieu thereof in each instance the words "the chronically ill" and by striking out the word "incurable" in the sixth line and inserting in lieu thereof the words "chronically ill", so that the section shall read as follows:

Hospitals  
to admit  
sick  
persons

11. Except as may be otherwise provided in this Act, no hospital other than a hospital for the chronically ill, receiving provincial aid shall refuse to admit as a patient any person who from sickness, disease or injury or otherwise is in need of treatment, and no hospital for the chronically ill receiving such aid shall refuse to admit as a patient any chronically ill person so certified in accordance with the regulations.

Rev. Stat.,  
c. 307, s. 15,  
amended

5. Section 15 of *The Public Hospitals Act* is amended by striking out the word "incurables" in the first line and inserting in lieu thereof the words "the chronically ill" and by striking out the words "an incurable" in the fourth line and inserting in lieu thereof the words "a chronically ill", so that the section shall read as follows:

Admission  
of chronic-  
ally ill  
persons

15. No hospital for the chronically ill shall admit as a patient an indigent person or the dependant of an indigent person until such person or dependant is certified in accordance with the regulations to be a chronically ill person.

Rev. Stat.,  
c. 307, s. 19,  
re-enacted

6. Section 19 of *The Public Hospitals Act* is repealed and the following substituted therefor:

Burial  
expenses, by  
municipality

19.—(1) In the event of the death in a hospital of any patient who is an indigent person or a dependant of an indigent person, the municipality in which such indigent person was a resident at the time of admission shall pay to the hospital any expenses of burial which it may incur, not exceeding,

- (a) \$75 for the burial;
- (b) the actual cost of opening and closing the grave; and
- (c) a fee of \$10 for a religious service performed in connection with the burial.

- (2) Where the deceased person referred to in subsection 1 by Minister was not a resident of a municipality, the Minister may pay the burial expenses in accordance with subsection 1.

7. Clause *d* of section 23 of *The Public Hospitals Act* is <sup>Rev. Stat., c. 307, s. 23, amended</sup> amended by striking out the words "house of refuge" in the second line and inserting in lieu thereof the words "home for the aged".

8. Section 26 of *The Public Hospitals Act* is amended by <sup>Rev. Stat., c. 307, s. 26, amended</sup> striking out the word "incurables" in the second line and inserting in lieu thereof the words "the chronically ill" and by striking out the words "an incurable" in the fourth line and inserting in lieu thereof the words "a chronically ill", so that the section shall read as follows:

26. When a patient in a hospital, other than a hospital <sup>Chronically ill persons in hospitals</sup> for the chronically ill, for the charges for whose treatment a municipality is liable under this Act is certified in accordance with the regulations to be a chronically ill person, the hospital may require of the municipality liable that such patient be removed from the hospital within seven days after notice has been given by registered letter to the clerk thereof, and failing which removal the hospital shall be entitled to charge the municipality liable, 25 cents per day in addition to any other charges provided to be paid under this Act while such patient remains in the hospital.

9. This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent. <sup>ment</sup>

10. This Act may be cited as *The Public Hospitals Amend-* <sup>Short title</sup> *ment Act, 1952.*





## CHAPTER 86

## An Act to amend The Public Lands Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Public Lands Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 309,  
amended

34a. Where any land forfeited to and vested in the Crown under *The Provincial Land Tax Act* has not been granted, sold, leased or otherwise disposed of, the Minister may direct the issuance of letters patent granting the land to the owner thereof at the time of such forfeiture, or to any person appearing to have had an interest therein at that time, or to the heirs, successors or assigns of such owner or person, upon such terms as the Minister deems just. Grant of  
forfeited  
land to  
former  
owner  
  
Rev. Stat.,  
c. 298

**2.** This Act may be cited as *The Public Lands Amendment Act, 1952*. Short title



## CHAPTER 87

## An Act to amend The Public Libraries Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 31 of *The Public Libraries Act* is amended by adding thereto the following subsection: Rev. Stat., c. 310, s. 31, amended

(1a) The board, with the consent of the municipal council, may acquire, or may erect on any lands held by it, buildings larger than are required for library and branch library purposes, and may lease any parts of the buildings not so required. Acquisition or erection of building larger than required

2. Subsection 2 of section 35 of *The Public Libraries Act* is repealed. Rev. Stat., c. 310, s. 35, subs. 2, repealed

3.—(1) *The Public Libraries Act* is amended by adding thereto the following sections: Rev. Stat., c. 310, amended

35a.—(1) A public library board, by resolution, may provide, by arrangement either with Her Majesty pursuant to the *Government Annuities Act* (Canada) or with an insurer licensed under *The Insurance Act*, or with both Her Majesty and an insurer as aforesaid, pensions for employees or any class thereof and their wives and children. Pensions R.S.C. 1927, c. 7 Rev. Stat., c. 183

(2) No resolution passed under this section shall become operative until approved by the Minister, nor shall any such resolution so passed and approved be amended or repealed without the approval of the Minister. Approval of Minister

(3) The board shall make such payments or contributions to the scheme as are provided for in the resolution. Contributions by board

(4) The board shall deduct from the salary, wages or other remuneration of every employee to whom the Deduction of employee contributions

scheme

scheme is applicable, the amount which the employee is required by the resolution to contribute.

Transfer  
of funds

(5) Where an employee,

(a) becomes a member of the civil service of Ontario or Canada;

Rev. Stat.,  
c. 96

(b) becomes an employee of a municipality, as defined in *The Department of Municipal Affairs Act*; or

(c) becomes a member of the staff of any board, commission or public institution established under any Act of this Legislature,

the board by resolution may authorize the transfer of, or may transfer, the whole or any part of any money standing to the credit of the employee in connection with a pension plan established for employees of the board, to any like plan or fund maintained to provide superannuation benefits for the members of such civil or civic service or such staff, as the case may be.

Sick  
leave  
credits

35b.—(1) A public library board, by resolution, may establish a system of sick leave credit gratuities and payments for the regular attendance of employees or any class thereof.

Approval  
of Minister

(2) No resolution passed under subsection 1 shall become operative until approved by the Minister, nor shall any resolution so passed and approved be amended or repealed without the approval of the Minister.

Existing  
pension  
schemes  
validated

(2) Any pension scheme heretofore established by a board which conforms to section 35a of *The Public Libraries Act*, as enacted by subsection 1 of this section, and which is approved by the Minister of Education, shall be deemed to have been validly established as of the date of its establishment.

Existing  
sick leave  
systems  
validated

(3) Any sick leave credit system heretofore established by a board which conforms to section 35b of *The Public Libraries Act*, as enacted by subsection 1 of this section, and which is approved by the Minister of Education, shall be deemed to have been validly established as of the date of its establishment.

Commence-  
ment

4.—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

(2) Section 1 shall be deemed to have come into force on Idem the 1st day of March, 1951.

5. This Act may be cited as *The Public Libraries Amend-* Short title  
*ment Act, 1952.*





## CHAPTER 88

## An Act to amend The Public Service Act

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 19 of *The Public Service Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 317, s. 19,  
subs. 1,  
re-enacted

(1) Every employee who,

Disability  
allowance

- (a) became an employee at an age at which he could contribute to the Fund in respect of a period of fifteen years before attaining retirement age; and
- (b) has contributed to the Fund in respect of a period of ten or more years; and
- (c) is found by the Board to be unable to perform his duties by reason of mental or physical incapacity; and
- (d) is retired by the Lieutenant-Governor in Council,

shall be entitled to a disability allowance.

**2.** Section 25 of *The Public Service Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 317, s. 25,  
re-enacted

25. Where an employee who,

Retirement  
or death  
before  
superannua-  
tion

- (a) has attained retiring age is retired by the Lieutenant-Governor in Council in circumstances under which he is not entitled to a superannuation allowance; or
- (b) is found by the Board to be unable to perform his duties by reason of mental or physical

incapacity

incapacity is retired by the Lieutenant-Governor in Council in circumstances under which he is not entitled to a disability allowance; or

- (c) has contributed to the Fund in respect of a period of less than ten years dies leaving a widow or a child or children under the age of eighteen years,

twice the amount of his contributions to the Fund with interest at 3 per cent per annum shall be paid to him in monthly instalments or otherwise as he may direct or to his widow or child or children, as the case may be.

Rev. Stat.,  
c. 317,  
amended

**3.** *The Public Service Act* is amended by adding thereto the following Part:

### PART III

#### RETIREMENT FUND

Retirement  
Fund

- 42.—(1) There shall be established a fund to be known as the Public Service Retirement Fund and an account shall be opened in the books of the Treasurer to be known as the Public Service Retirement Fund.

Treasurer  
to be  
custodian

- (2) The Treasurer shall be custodian of the Retirement Fund.

Composi-  
tion of  
Retirement  
Fund

- (3) The Retirement Fund shall consist of the amounts paid in by civil servants under this Part and the amounts credited to it under subsection 6.

Records

- (4) The Treasurer shall keep records showing a separate account of the amounts paid in by each civil servant under this Part.

Audit

- (5) The Retirement Fund shall be audited by the provincial Auditor or by such other auditor as the Lieutenant-Governor in Council may appoint, and the Auditor shall make an annual report in respect of the preceding fiscal year to the Lieutenant-Governor in Council and the report shall be laid before the Assembly at the next session of the Legislature.

Interest

- (6) There shall be credited to the Retirement Fund out of the Consolidated Revenue Fund interest at the

rate

rate of 3 per cent per annum compounded annually and such interest shall be made up at the close of each fiscal year upon the balance in the Retirement Fund at the commencement of the fiscal year.

- 43.—(1) Except as otherwise provided in subsection 2 <sup>Application of Part III</sup> or 3, this Part applies to every civil servant who is appointed for a period of one year.
- (2) This Part does not apply to any civil servant who <sup>Appointees before July 1st, 1952</sup> was appointed before the 1st day of July, 1952, unless he so elects in a writing delivered or sent to the Civil Service Commission.
- (3) This Part does not apply to any civil servant who <sup>Former teachers</sup> is a contributor to the Teachers' Superannuation Fund unless he so elects in a writing delivered or sent to the Civil Service Commission, and if he so elects and in due course becomes an employee within the meaning of Part II his contributions to the Teachers' Superannuation Fund shall, for the purposes of Part II, be deemed to have ceased on the date on which his election to come under this Part becomes effective.
- 44.—(1) Every civil servant to whom this Part applies <sup>Contributions</sup> whose salary is less than \$1,500 shall contribute to the Retirement Fund an amount equal to 5 per cent of his salary.
- (2) Every civil servant to whom this Part applies whose <sup>Idem</sup> salary is \$1,500 or more shall contribute to the Retirement Fund an amount equal to 6 per cent of his salary.
- (3) The contributions shall be deducted from the salary <sup>How contributions to be made</sup> of the civil servant and credited to his account in the records of the Retirement Fund.
45. The interest of any civil servant in the Retirement Fund shall not be subject to garnishment, attachment, seizure or other process of law and shall not be assignable.
46. Where a civil servant to whom this Part applies <sup>Transfer to Public Service Superannuation Fund</sup> becomes an employee within the meaning of Part II, the amount to his credit in the Retirement Fund shall be transferred to his credit in the Public Service Superannuation Fund and he shall be entitled to credit in that Fund for a period equal to the period

in respect of which he contributed to the Retirement Fund.

Refunds

47.—(1) Where a civil servant who has contributed to the Retirement Fund in respect of three years or less ceases to be a civil servant or dies, the amount to his credit in the Retirement Fund shall be payable to him or to his personal representative, as the case may be.

Idem

(2) Where a civil servant who has contributed to the Retirement Fund in respect of more than three years ceases to be a civil servant or dies, the amount to his credit in the Retirement Fund with interest at 3 per cent per annum shall be paid to him or to his personal representative, as the case may be.

How made

(3) Refunds under this section shall be made by cheque of the Treasurer upon the requisition in writing of the chairman of the Civil Service Commission or of such person as the chairman may authorize in writing.

Where person indebted to Crown

(4) Where a refund is payable under this section and the person in respect of whom the refund is payable is indebted to the Crown, the amount of such indebtedness shall be deducted from the refund to which he or his personal representative is otherwise entitled.

Regulations

48. The Lieutenant-Governor in Council may make regulations,

(a) defining classes of civil servants who shall be exempt from this Part;

(b) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Part.

Cost of administration

49. The cost of administration of this Part shall be payable out of such moneys as may be appropriated therefor by the Legislature.

Service credit rights of special group of former teachers

4. Any civil servant who was a contributor to The Teachers' and Inspectors' Superannuation Fund and who became a civil servant before the 24th day of May, 1937, and whose contributions and credits in that fund have been transferred to the Public Service Superannuation Fund may pay into the Public Service Superannuation Fund a sum of money equal to the difference between the amount that he would have paid

into

into the Public Service Superannuation Fund if he had contributed to the Public Service Superannuation Fund during his entire period as a civil servant and that portion of the amount transferred from The Teachers' and Inspectors' Superannuation Fund in respect of the period of his service after he became a civil servant with interest on the amount of such difference at the rate of  $4\frac{3}{4}$  per cent per annum compounded half-yearly, and thereupon he shall be entitled to service credit in the Public Service Superannuation Fund for the number of years that he has been a civil servant and the number of years to which he is entitled under *The Public Service Act* in respect of his teaching service.

Rev. Stat.,  
c. 317

5. This Act comes into force on the 1st day of July, 1952.

Commence-  
ment

6. This Act may be cited as *The Public Service Amendment Act, 1952*.

Short title





## CHAPTER 89

## An Act to amend The Public Trustee Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Public Trustee Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 319,  
amended

15.—(1) Subject to the approval of the Lieutenant-Governor in Council, a company may be constituted by letters patent under *The Companies Act* for the purpose of purchasing land and erecting an office building thereon for use by the Public Trustee and others, or purchasing an office building or leasing or renting office premises for such purposes. Building  
company  
authorized  
Rev. Stat.,  
c. 59

(2) The person holding the office of Public Trustee shall be a director of the company and the other directors shall be members of the staff of the Public Trustee. Directors

(3) The Public Trustee, out of surplus funds, may purchase shares of the company or advance moneys to the company, as may be required from time to time, to provide working capital for the company. Temporary  
advances

(4) The Public Trustee may loan to the company an amount not exceeding 20 per cent of the Public Trustee Investment Fund secured upon the assets of the company. Long-term  
loans

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Public Trustee Amendment Act, 1952*. Short title



## CHAPTER 90

**An Act to amend The Real Estate and Business Brokers Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 21 of *The Real Estate and Business Brokers Act* Rev. Stat., c. 332, s. 21, amended is amended by inserting after the word "become" in the tenth line the words "in respect of claims arising out of trades in real estate", so that the section shall read as follows:

21. The Lieutenant-Governor in Council may direct the Treasurer of Ontario, Assignment of bond or payment of moneys to creditors
- (a) to assign any bond forfeited under section 18 and transfer the collateral security, if any;
  - (b) to pay over any moneys recovered under such bond; or
  - (c) to pay over any moneys realized from the sale of the collateral security under section 19,

to any person, or to the Accountant of the Supreme Court in trust for such persons as may become, in respect of claims arising out of trades in real estate, judgment creditors of the person bonded or who deposited the securities, as the case may be, or to any trustee, custodian, interim receiver, receiver or liquidator of such person, as the case may be.

2. Section 35 of *The Real Estate and Business Brokers Act* Rev. Stat., c. 332, s. 35, amended is amended by inserting after the word "account" in the first line the words "designated as a trust account" and by adding at the end thereof the words "and shall disburse such moneys only in accordance with the terms of the trust", so that the section shall read as follows:

35. Every broker shall maintain an account designated Bank account as a trust account in a chartered bank, loan or trust company or Province of Ontario Savings Office in

which

which shall be deposited all moneys which come into his hands in trust for other persons in connection with his business, and he shall at all times keep such moneys separate and apart from moneys belonging to himself or to the partnership, in the case of a partnership, and shall disburse such moneys only in accordance with the terms of the trust.

Rev. Stat.,  
c. 332, s. 52,  
subs. 2,  
amended

**3.** Subsection 2 of section 52 of *The Real Estate and Business Brokers Act* is amended by adding at the end thereof the words "and unless the broker or salesman immediately after the execution of the agreement delivers a true copy thereof to the person who has signed the agreement", so that the subsection shall read as follows:

Expiry of  
agreement

- (2) No agreement to list real estate for sale, exchange, lease or rental with a broker or salesman shall be valid unless it is provided therein that it will expire on a date therein specified and unless the broker or salesman immediately after the execution of the agreement delivers a true copy thereof to the person who has signed the agreement.

Short title

**4.** This Act may be cited as *The Real Estate and Business Brokers Amendment Act, 1952*.

## CHAPTER 91

**An Act to amend The Registry Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 16 of *The Registry Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 336, s. 16,  
re-enacted

16. Except on Saturdays and holidays when they shall be closed, every registry office shall be kept open from 9.30 a.m. until 4.30 p.m., and no instrument shall be registered on any Saturday or holiday, nor shall any instrument be received for registration except within those hours. Office hours

**2.** Section 18 of *The Registry Act* is repealed. Rev. Stat.,  
c. 336, s. 18,  
repealed

**3.** Subsection 8 of section 21 of *The Registry Act* is amended by inserting after the word "description" in the sixth line the words "and orders made under *The Mental Incompetency Act*", so that the subsection shall read as follows: Rev. Stat.,  
c. 336, s. 21,  
subs. 8,  
amended

(8) The general register shall be used for recording wills, probates, grants of administration, general appointment of new trustees, certificates of judgment, or orders of any court removing or appointing executors, administrators, guardians or trustees, and powers of attorney in which there is a general devise or power affecting land without local description, and orders made under *The Mental Incompetency Act*, and claims for lien under *The Mechanics' Lien Act* against land which constitutes the line of railway or right-of-way of a railway company, general certificates of payment of succession duties under subsection 7 of section 57, and also certificates of amalgamation of loan corporations, and where a mortgage of railway or other lands was registered prior to the 1st day of April, 1899, in the general register of any registry division, a discharge of such mortgage or a reconveyance of the mortgaged premises may be registered therein. General  
register,  
what to be  
used for  
Rev. Stat.,  
c. 230  
Rev. Stat.,  
c. 227

Rev. Stat.,  
c. 336, s. 26  
subs. 6,  
re-enacted

4. Subsection 6 of section 26 of *The Registry Act* is repealed and the following substituted therefor:

Recopying  
of abstract  
index

- (6) When an abstract index is to be recopied, every instrument entered in the abstract index, whether ruled off or not, shall be recopied and the registrar shall carefully preserve such abstract index which shall be available for inspection as in the case of current indexes.

Rev. Stat.,  
c. 336, s. 48,  
subs. 3,  
amended.

5. Subsection 3 of section 48 of *The Registry Act* is amended by striking out the symbol and figures "\$1.50" in the third line and inserting in lieu thereof the symbol and figures "\$2.50", so that the subsection shall read as follows:

Fee on  
registration

- (3) The fee payable for registration, not including more than four distinct parcels of land having a separate heading in the abstract index, shall be \$2.50, and for each additional parcel requiring entry to be made under a separate heading in the abstract index, five cents.

Rev. Stat.,  
c. 336, s. 97,  
cl. b,  
amended

6.—(1) Clause *b* of section 97 of *The Registry Act* is amended by striking out the symbol and figure "\$3" where they occur in the first, sixteenth and eighteenth lines respectively and inserting in lieu thereof in each instance the symbol and figure "\$4".

Rev. Stat.,  
c. 336, s. 97,  
cl. c,  
amended

(2) Clause *c* of the said section 97 is amended by striking out the figures "25" in the fifth line and inserting in lieu thereof the figures "50", by striking out the symbol and figure "\$3" in the eleventh line and inserting in lieu thereof the symbol and figure "\$5" and by striking out the figures "25" in the sixteenth line and inserting in lieu thereof the figures "50".

Rev. Stat.,  
c. 336, s. 97,  
cl. d,  
amended

(3) Clause *d* of the said section 97 is amended by striking out the figures "25" in the fourth line and inserting in lieu thereof the figures "50" and by striking out the symbol and figure "\$1" in the seventh line and inserting in lieu thereof the symbol and figure "\$2".

Rev. Stat.,  
c. 336, s. 97,  
cl. e,  
amended

(4) Clause *e* of the said section 97 is amended by striking out the figures "25" in the third line and inserting in lieu thereof the figures "50".

Commence-  
ment

7. This Act comes into force on the 1st day of May, 1952.

Short title

8. This Act may be cited as *The Registry Amendment Act, 1952*.



## CHAPTER 92

# An Act to provide Financial Assistance in the Building of Houses in Rural Villages and Hamlets and in Other Rural Areas

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) There shall be incorporated under *The Companies Act* a company with the name “The Rural Housing Finance Corporation”, herein called “the Company”, with power to lend and invest money on mortgage of real estate in order to provide financial assistance in the building of houses in rural villages and hamlets and in other rural areas. Lending corporation to be created Rev. Stat., c. 59

(2) Notwithstanding subsection 2 of section 2 of *The Companies Act*, the Company may issue bonds, debentures or debenture stock. Power to issue debentures

**2.** The Company may exercise its power of lending money independently or in co-operation with Central Mortgage and Housing Corporation under *The National Housing Act, 1944* (Canada) or with any other corporation incorporated for similar purposes. Exercise of powers 1944, c. 46 (Can.)

**3.**—(1) The Lieutenant-Governor in Council may authorize the Treasurer of Ontario to purchase or to guarantee the payment of any notes, bonds, debentures or debenture stock issued by the Company. Provincial guarantee

(2) The form of guaranty and the manner of execution shall be determined by the Lieutenant-Governor in Council. Form of guaranty

(3) Every guaranty given or purporting to be given under the authority of this section shall be binding upon the Province and shall not be open to question upon any ground whatsoever. Validity of guaranty

**4.**—(1) The Lieutenant-Governor in Council may advance moneys by way of loan or otherwise to the Company for its purposes. Provincial advance on loans

Idem

(2) Any moneys advanced or loaned to the Company by the Crown under this Act shall be paid out of the Consolidated Revenue Fund.

Cost of  
administra-  
tion

5. The cost of administration of this Act shall be paid out of the Consolidated Revenue Fund.

Administra-  
tion of  
Act

6. This Act shall be administered by the Minister of Planning and Development or such other member of the Executive Council to whom it may be assigned by the Lieutenant-Governor in Council.

Commence-  
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Rural Housing Assistance Act, 1952*.

## CHAPTER 93

**An Act to amend The Rural Telephone  
Systems Act, 1951**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *d* of subsection 1 of section 2 of *The Rural Telephone Systems Act, 1951* is repealed and the following substituted therefor: 1951,  
c. 80, s. 2,  
subs. 1,  
cl. d, re-  
enacted

- (*d*) when in its opinion it is desirable, make agreements with the companies for the joint use of poles upon such terms and conditions as may be mutually agreed upon;
- (*e*) do whatever else is necessary in its opinion to promote the objects of this Act.

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The Rural Telephone Systems Amendment Act, 1952*. Short title



## CHAPTER 94

## An Act to amend The Sanatoria for Consumptives Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 38 of *The Sanatoria for Consumptives Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 346, s. 38,  
re-enacted

38.—(1) In the event of the death in a sanatorium of any patient who is an indigent person, the local municipality in which such indigent person was a resident at the time of admission shall pay to the sanatorium any expenses of burial which it may incur, not exceeding, Burial  
expenses, by  
local muni-  
cipality

(a) \$75 for the burial;

(b) the actual cost of opening and closing the grave; and

(c) a fee of \$10 for a religious service performed in connection with the burial.

(2) Where the deceased person referred to in subsection 1 was not a resident of a local municipality, the Minister may pay the burial expenses in accordance with subsection 1. by Minister

2. Clause *d* of section 42 of *The Sanatoria for Consumptives Act* is amended by striking out the words "house of refuge" in the second line and inserting in lieu thereof the words "home for the aged". Rev. Stat.,  
c. 346, s. 42,  
cl. d,  
amended

3. This Act comes into force on the day it receives Royal Assent. Commence-  
ment

4. This Act may be cited as *The Sanatoria for Consumptives Amendment Act, 1952*. Short title





## CHAPTER 95

**An Act to amend The Sandwich, Windsor and Amherstburg Railway Act, 1939**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 3 of section 9 of *The Sandwich, Windsor and Amherstburg Railway Act, 1939* is repealed and the following substituted therefor: 1939, c. 43, s. 9, subs. 3, re-enacted

(3) Unless and until the written approval of the Ontario Municipal Board has been obtained, the said company shall not exercise any of its powers with respect to, Condition precedent to exercise of certain powers

(a) the acquisition, encumbrance or disposition of real property or any interest therein, or the erection or demolition of buildings or other permanent improvements thereon;

(b) the acquisition, encumbrance or disposition of buses, motor coaches or other vehicles or the wrecking or demolition of the same;

(c) the encumbrance or disposition of book accounts, fares, tolls, equipment or other property, except worn out, obsolete or surplus parts and accessories for buses, motor coaches and other vehicles;

(d) such other matters as the Board may from time to time by order require.

**2.** This Act comes into force on the day it receives Royal Assent. Commencement

**3.** This Act may be cited as *The Sandwich, Windsor and Amherstburg Railway Amendment Act, 1952*. Short title



## CHAPTER 96

## An Act to amend The Securities Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Securities Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 351,  
amended

- 47a.—(1) Notwithstanding section 47, every person or company to which that section applies and that delivers to any person a circular, pamphlet or letter soliciting him to purchase or offering to sell him a security to which section 38 applies, may, with the first such circular, pamphlet or letter delivered to such person, deliver a copy of a concise statement of facts taken from the prospectus, financial statements and reports required under section 38 that is acceptable to the Commission, and such statement shall contain a notice at the end thereof in easily legible letters which shall not be smaller than the letters in the main portion thereof, that a copy of the prospectus will be sent on request. Alternative  
method  
applicable  
to securities  
of mining  
companies
- (2) Every person or company that acts under subsection 1 and that receives from a person to whom the concise statement of facts mentioned therein was delivered, an order or subscription for a security to which section 38 applies, shall at any time not later than delivery of the written confirmation of the sale of such security, deliver to such person a copy of the prospectus or amended prospectus, whichever is the last filed with the Commission, together with,
- (a) a copy of the last financial statements and reports accepted for filing by the Commission where financial statements and reports are required to be filed; and
  - (b) a fair and accurate summary of the report on the property of the company and the development thereof, with any corrections, where the report is required to be filed.

Rev. Stat.,  
c. 351, s. 64,  
subs. 2,  
amended

**2.** Subsection 2 of section 64 of *The Securities Act* is amended by striking out the words "six months" in the second line and inserting in lieu thereof the words "one year", so that the subsection shall read as follows:

Commence-  
ment of  
proceedings

- (2) No proceedings under section 63 shall be commenced more than one year after the facts upon which the proceedings are based first came to the knowledge of the Commission.

Short title

**3.** This Act may be cited as *The Securities Amendment Act, 1952*.

## CHAPTER 97

**An Act to amend The Security Transfer  
Tax Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 2 of *The Security Transfer Tax Act* is amended by striking out the word "and" at the end of clause *c*, by adding the word "and" at the end of clause *d* and by adding thereto the following clause:

Rev. Stat.,  
c. 352, s. 2,  
amended

(*e*) upon every payment made in Ontario, consequent upon the sale, transfer or assignment of a security which has been executed outside Ontario.

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Security Transfer Tax Amendment Act, 1952*.

Short title





## CHAPTER 98

**An Act respecting the Diversion of the  
Seine River**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS by Order in Council P.C. 11693, passed under Preamble  
the authority of the *War Measures Act* (Canada), R.S.C. 1927,  
c. 206, authority was granted to Steep Rock Iron Mines Limited to  
divert the waters of the Seine River and to do all things neces-  
sary or incidental to effecting such diversion, including the  
drainage of Steep Rock Lake, or part thereof, and the flooding  
or de-watering of properties of others; and whereas partial  
diversion of the waters of the Seine River has been effected  
pursuant to such authority; and whereas it is desirable that  
such partial diversion be confirmed and that authority be  
granted for the completion and the operation of the diversion;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) "Crown" means Her Majesty the Queen in right of Ontario;
- (b) "Company" means Steep Rock Iron Mines Limited;
- (c) "judge" means the judge of the Mining Court of Ontario;
- (d) "mineral rights" means ores, mines, minerals and the right to remove the same in such manner that any dam or other structure erected or to be erected within the Seine River diversion is not endangered or injuriously affected and that the flow of waters of the Seine River diversion is not interfered with;
- (e) "Minister" means Minister of Lands and Forests;
- (f) "Seine River diversion" means the watercourse of the Seine River diverted from Marmion Lake, through Raft Lake, Finlayson Lake, Barr Lake, Reed Lake and Modred Lake and intermediate territory to connect with the present course of the Seine River west of Tracy Rapids.

Right of  
entry, etc.

2. The Company has the right to enter upon, examine and survey such lands as it deems necessary in connection with or as incidental to the de-watering of Steep Rock Lake and the completion of the Seine River diversion, and the Company shall pay compensation as hereinafter provided for any actual damage done.

Diversion  
and de-  
watering  
powers

3.—(1) Notwithstanding anything in any other Act but subject to section 11, the Company has the right, in accordance with plans that have been or may be filed with or required by the Department of Lands and Forests, with such additions thereto or deviations therefrom as the Minister may permit or require and upon approval by him of such plans, to erect dams, create, enlarge and extend bodies of water, divert into new channels waters flowing southerly from Finlayson Lake and waters formerly flowing or draining through or into Steep Rock Lake; to de-water and drain the bed of Steep Rock Lake; to clear, excavate, construct and maintain any water-course, raceway, erection or work it may require in connection with the construction or use of any such diversion, notwithstanding that the exercise of such rights may involve the flooding or de-watering of properties of others; and subject to subsection 2, to take, acquire, hold and use such portion of the land so examined or such rights over or in respect thereof, but not including the mineral rights, for the completion, improvement or maintenance of any such diversion, de-watering or draining and works in connection therewith, and subject to the completion of the Seine River diversion and the installation, if required by the Minister, of a weir or dam at or near the south outlet of the West Arm of Steep Rock Lake, to discharge and deposit silt, clay and lake bottom material from the bed of Steep Rock Lake into the West Arm of Steep Rock Lake or into Marmion Lake or such basin or basins as may be made available for deposit and retention of such material, provided that no such discharge or deposit in Marmion Lake or other basin or basins shall be made until the plans for deposit and retention of such material in Marmion Lake or in such basin or basins have been approved by the Minister and the discharge or deposit in the case of Marmion Lake shall not exceed an elevation to be determined by the Minister, and such discharge or deposit shall be made upstream from the dam known as "the protective works at the Marmion Lake narrows".

Saving

(2) Nothing authorized by this section entitles the Company to expropriate or adversely affect the properties of the Crown or The Hydro-Electric Power Commission of Ontario without their consent.

Former  
actions

4. The authority conferred by this Act extends to and includes all action heretofore taken by or on behalf of the Company pursuant to the said Order in Council P.C. 11693.

5.—(1) The authority granted by Order in Council P.C. 11693 to the judge of the Mining Court of Ontario to investigate and ascertain the damage, if any, caused by the diversion, flooding or draining is confirmed, and the judge is further authorized to investigate and ascertain the damage, if any, caused by the examination and survey, diversion, flooding, draining or anything else done under this Act to anyone other than the Company and to determine the amount of compensation for lands taken, acquired, held or used under this Act, and for all damage to property resulting from the exercise of the Company's powers under this Act, which shall be paid by the Company, and any party or parties affected by a decision of the judge have similar rights of appeal to those provided by *The Mining Act* in the case of proceedings under that Act. <sup>Compensation</sup> <sup>Rev. Stat., c. 236</sup>

(2) Upon payment of the compensation so determined for lands so taken, acquired, held or used, the Company is entitled to a conveyance, to be settled by the judge in case of dispute, and subject to section 7, of the land or rights in respect of which payment is so made. <sup>Idem</sup>

(3) In the event of the owner of land taken, acquired, held or used by the Company under this Act failing or refusing to execute a conveyance to the Company upon reasonable notice and after having tendered to him the Company's cheque for the amount awarded by the judge, the Company may file a plan and description in the proper registry or land titles office of the land so taken, acquired, held or used, signed by the proper officers of the Company and an Ontario land surveyor, and thereupon such land, except the mineral rights, shall be and become vested in the Company. <sup>Idem</sup>

6. Upon request of the Minister but subject to the Company's obligation to The Hydro-Electric Power Commission of Ontario under paragraph 5 of the agreement between The Hydro-Electric Power Commission of Ontario and the Company, which is Schedule E to *The Steep Rock Iron Ore Development Act, 1949*, the Company shall execute a conveyance to the Crown without charge or compensation of all rights to any lands so conveyed to it or to any other lands owned by the Company, except the mineral rights, which are within the Seine River diversion below a contour of three feet above that which will permit a maximum flow of water of 20,000 cubic feet per second, but no such conveyance shall limit or restrict the exercise by the Company of the rights conferred upon it in this Act. <sup>Conveyance of lands to Crown</sup> <sup>1949, c. 97</sup>

7.—(1) All patented lands which have been or may be acquired by the Company within the Seine River diversion below a contour three feet above that which will permit a <sup>Lands vested in Crown</sup>

maximum

maximum flow of water of 20,000 cubic feet per second and all rights to such lands, except the mineral rights, are hereby vested in the Crown.

Water  
rights

(2) The rights vested in the Crown under subsection 1 include, in addition to all other rights except mineral rights, all rights to the use of water of the Seine River diversion and all rights with respect to power which may be developed from the water of the Seine River diversion, provided that no rights with respect to such water power development on the Seine River diversion shall at any time prior to the 1st day of December, 1971, be granted or leased by the Crown to anyone other than the Company except subject to prior reimbursement by the grantee or lessee to the Company for the cost incurred by the Company after the 1st day of December, 1951, for completion of the Seine River diversion, less one-twentieth of such cost for each year which intervenes between the 1st day of December, 1952, and the date of such granting or leasing, but if at the time of such granting or leasing The Hydro-Electric Power Commission of Ontario is entitled to restore the normal water flow in the Seine River through Steep Rock Lake, no part of such costs shall be reimbursable to the Company.

Lands sub-  
ject to  
Rev. Stat.,  
c. 34

8. All lands within the Seine River diversion below a contour of three feet above that which will permit a maximum flow of water of 20,000 cubic feet per second are subject to *The Beds of Navigable Waters Act*.

Application  
of 1949, c. 97

9. The authority conferred on The Hydro-Electric Power Commission of Ontario by section 2 of *The Steep Rock Iron Ore Development Act, 1949* extends and applies to the Seine River diversion authorized by this Act, and the rights and obligations existing under Schedules C and E referred to in the said section 2 are not affected by this Act, and the obligations, covenants and indemnities of the Company in favour of The Hydro-Electric Power Commission of Ontario in the said Schedule E extend to the Seine River diversion authorized by this Act.

Rights of  
action not  
prejudiced

10. Nothing in this Act prejudices any right of action any person may have for damages against the Company by reason of alleged pollution of the waters of the Seine River.

Application  
of Rev. Stat.,  
cc. 420, 195

11. Nothing in this Act shall be deemed to limit or exclude the application to the Company of *The Water Powers Regulation Act* and Parts I and III of *The Lakes and Rivers Improvement Act*.

Assignment  
of rights

12. With the consent of the Lieutenant-Governor in Council, any of the rights conferred on the Company by this Act may be assigned and may be exercised in whole or in part by assignees or licensees of the Company.

**13.** This Act is binding upon and enures to the benefit of <sup>Crown to</sup> the Crown. <sub>be bound</sub>

**14.** This Act comes into force on the day it receives Royal <sup>Commence-</sup> Assent. <sub>ment</sub>

**15.** This Act may be cited as *The Seine River Diversion* <sup>Short title</sup> Act, 1952.







## CHAPTER 99

## An Act to amend The Sheriffs Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 1 of section 11 of *The Sheriffs Act* is amended by inserting after the word “names” in the fifth line the words “not exceeding fifteen”, so that the subsection shall read as follows: Rev. Stat.,  
c. 359, s. 11,  
subs. 1,  
amended.

- (1) Where, for the purpose of investigating or establishing some title to land, a certificate respecting executions against lands is required from a sheriff, the sheriff if so requested, shall include in one certificate any number of names, not exceeding fifteen, in respect of which the certificates may be required in the same matter or investigation. Certificate  
as to  
executions

(2) Subsection 3 of the said section 11 is amended by striking out the symbol and figure “\$4” in the second line and inserting in lieu thereof the symbol and figure “\$6”, so that the subsection shall read as follows: Rev. Stat.,  
c. 359, s. 11,  
subs. 3,  
amended

- (3) The maximum fees payable to a sheriff in respect to such certificate shall be \$6. Maximum  
fees

**2.** Section 12 of *The Sheriffs Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 359, s. 12,  
re-enacted

12. Except on Saturdays and holidays when they shall be closed, every sheriff's office shall be kept open from 9.30 a.m. until 4.30 p.m. Office hours

**3.** Section 15 of *The Sheriffs Act* is amended by striking out the words “and every sheriff neglecting or refusing to transmit such quarterly account, or to pay over any money so collected by him, within the time hereby prescribed, shall be liable to the like penalty and may be sued for the same in the same manner as is provided with regard to justices of the peace neglecting

neglecting

neglecting or refusing to make the returns required by section 12 of *The Justices of the Peace Act*" in the eleventh to seventeenth lines, so that the section shall read as follows:

Sheriff to  
make  
quarterly  
returns of  
fines, etc.

15. The sheriff shall quarterly and within twenty days after the expiration of each quarterly period, transmit to the Inspector of Legal Offices a just, true and faithful account, verified upon oath, of all fines, penalties, and forfeitures which he has been required to levy and make by any lawful authority, and of the receipt and application of the same, or the reason why the same have not been received and applied, and he shall pay over to the proper officer or to the person lawfully entitled to receive the same, the several sums collected by him, within twenty days next after the period within which the same have been collected.

Commence-  
ment

4. This Act comes into force on the 1st day of May, 1952.

Short title

5. This Act may be cited as *The Sheriff's Amendment Act, 1952*.

## CHAPTER 100

**An Act respecting the Development of Power  
in the International Rapids Section  
of the St. Lawrence River**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) "Canada-Ontario agreement" means the agreement between the Government of Canada and the Government of Ontario providing for the development of power resources in the International Rapids Section of the St. Lawrence River, dated the 3rd day of December, 1951, and set out as the Schedule to *The International Rapids Power Development Agreement Act, 1952*, c. 42;
- (b) "Commission" means The Hydro-Electric Power Commission of Ontario;
- (c) "land" means real property of whatsoever nature or kind, and includes tenements, hereditaments and appurtenances, and any estate, term, easement, right or interest in, to, through, over, under, along, upon, across or affecting land;
- (d) "power" includes electrical, pneumatic, hydraulic, mechanical, atomic, steam, gas and other power and also energy;
- (e) "supply" includes delivery, dealing in and sale;
- (f) "works" includes all property, plant, machinery, buildings, erections, constructions, installations, materials, devices, fittings, apparatus, appliances and equipment for the generation, transformation, transmission, distribution, supply or use of power.

Commission  
authorized  
to undertake  
power  
development

**2.** The Commission, in such manner as may be approved by the Lieutenant-Governor in Council, may undertake, concurrently with the undertaking of complementary works by an appropriate authority in the United States of America, the construction, maintenance and operation of works to develop and utilize the power resources of the International Rapids Section of the St. Lawrence River and for this purpose may enjoy and exercise in its own name all the rights and benefits of the Government of Ontario under the Canada-Ontario agreement.

Commission  
to perform  
Ontario's  
obligations

**3.** The Commission shall perform all the obligations of the Government of Ontario under the Canada-Ontario agreement, except the transfer of the administration of the works, sites and lands belonging to Ontario provided for in clause 3 of Article V and in Article XI of the agreement.

Lands  
transferred  
by Canada

**4.** Upon the transfer of the administration of the lands belonging to Canada provided for in Article V of the Canada-Ontario agreement, such lands shall become and be vested in the Commission.

Title to  
lands and  
works

**5.** All lands acquired and all works constructed by the Commission under this Act shall belong to the Commission.

Works  
authorized

**6.—(1)** When the works described in Article II of the Canada-Ontario agreement have been approved by the International Joint Commission established under the Boundary Waters Treaty of 1909 and when the order of His Excellency the Governor General in Council of Canada referred to in Article III has been made, the Commission may,

- (a) divert the waters of the St. Lawrence River in such manner and in such amount as may in its opinion be necessary, convenient or desirable for the operation and utilization of the works, construct, maintain and operate the works, and by the use of these waters generate power and use, transform, transmit, convert, distribute, make available for use and supply it;
- (b) construct, install, maintain and operate works and roads required for or incidental to the other matters authorized by this Act;
- (c) connect any of the works constructed or installed under clause *a* or *b* with any other power works or systems;
- (d) transmit, transform, distribute and deliver power generated under this Act to or from or for any person at any place, through, over, under, along, upon or

across

across any land, public highway or public place, stream, water, watercourse, bridge, viaduct or roadway and through, over, under, along, upon or across the land of any person;

- (e) acquire for the purposes of this Act by purchase, lease or otherwise, or without the consent of the owner, enter upon, take possession of, expropriate and use land, waters, water privileges, water powers, access and other roads, buildings and works and use, utilize, develop and improve them, and upon such terms as it deems proper, sell, lease or dispose of such of them as it deems are no longer necessary for its purposes;
- (f) acquire for the purposes of this Act, by purchase or otherwise, water, coal, steam, oil, material, equipment and other supplies.

(2) For the purposes of clause *d* of subsection 1, the Commission may exercise the same powers as are set forth in subsection 2 of section 32 of *The Power Commission Act*, and thereupon subsections 3 to 11 of that section shall apply. Manner of taking land  
Rev. Stat.,  
c. 281

7.—(1) In relation to all matters authorized by this Act, the Commission may exercise and enjoy, in addition to the powers conferred upon it by this and any other Act, all the powers conferred upon the Minister of Public Works in relation to a public work by *The Public Works Act*, and in the application of this section, where the words “the Minister”, “the Department” or “the Crown” appear in that Act, they shall, where the context permits, mean the Commission. Further powers as to taking land  
Rev. Stat.,  
c. 323

(2) Upon the deposit in the proper registry or land titles office of a plan and description of the land required by the Commission, signed by the Secretary or by an Ontario land surveyor, the land so described shall thereupon become and be vested in the Commission. Idem

(3) Except as otherwise provided in this Act, the Commission shall in the exercise of its compulsory powers authorized by this Act, proceed in the manner provided by *The Public Works Act*, where the Minister of Public Works takes land or property for the use of Ontario, and all the provisions of that Act with respect to the fixing, payment and application of compensation shall apply *mutatis mutandis*. Where public works procedures to apply

(4) Subsection 6 of section 24 of *The Power Commission Act* shall apply to proceedings under this section. Rev. Stat.,  
c. 281, s. 24,  
subs. 6 to apply



No  
restraint

(5) No act or proceeding of the Commission under this section shall be restrained by injunction or other process or proceeding in any court.

Rights of  
way, etc.

8. Notwithstanding anything in any other Act, where any right, interest, way, privilege, permit or easement is acquired for the purposes of this Act, by the Commission in, through, over, under, along, upon, across or affecting any land, unless it is otherwise agreed, the land shall continue subject thereto for the term thereof and it shall be binding upon the owner and all subsequent owners of the land until expiration or release by the Commission.

General  
fund  
applicable

9. The purposes and objects of this Act shall be deemed to be purposes and objects of the Commission under section 12 of *The Power Commission Act* and any liabilities of the Commission heretofore incurred and any expenditure of funds by the Commission heretofore made therefor are ratified and confirmed.

Rev. Stat.,  
c. 281,  
powers  
applicable

10. For the purposes of this Act, the Commission, in addition to exercising any of the powers conferred upon it by this Act, may exercise any of the powers conferred upon it by *The Power Commission Act*, but nothing in that Act shall in any way limit or restrict the exercise of the powers conferred upon the Commission by this Act.

Indemnifi-  
cation

11. The Commission shall indemnify and save harmless Her Majesty the Queen in right of Ontario in respect of all claims of third parties in any way arising out of the construction, maintenance or operation of the works authorized by this Act.

Rates for  
water  
diverted

12. The Commission shall pay Her Majesty in right of Ontario compensation in such manner and upon such terms as may be agreed upon by them from time to time for water diverted under clause *a* of subsection 1 of section 6.

Commence-  
ment

13. This Act comes into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title

14. This Act may be cited as *The St. Lawrence Development Act, 1952*.



## CHAPTER 101

# An Act to repeal The Suburban Area Development Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Suburban Area Development Act* is repealed.

Rev. Stat.,  
c. 377,  
repealed

**2.**—(1) Notwithstanding section 1, any suburban service board that was established under *The Suburban Area Development Act* or any predecessor thereof and is in existence on the day this Act comes into force, may continue as if section 1 had not been passed.

Continuance  
of existing  
boards

(2) Such suburban service board, or the council of the township by which it was established, may apply to the Ontario Municipal Board for the dissolution of the suburban service board as if it were a municipality, and section 47 of *The Municipal Act* shall apply *mutatis mutandis* to such application.

Dissolu-  
tion

Rev. Stat.,  
c. 243

**3.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**4.** This Act may be cited as *The Suburban Area Development Repeal Act, 1952*.

Short title



## CHAPTER 102

## An Act to amend The Succession Duty Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 3 of section 4 of *The Succession Duty Act* Rev. Stat., c. 378, s. 4, amended is amended by inserting after the word "religious" in the second line the words "and educational", so that the subsection shall read as follows:

(3) Notwithstanding anything in this section, clauses *a*, *b*, *c* and *d* of subsection 1 in so far as they apply to religious and educational organizations shall apply to such organizations as if the word "Canada" were substituted for the word "Ontario" wherever it appears in such clauses. Where "Canada" substituted for "Ontario"

**2.** Section 9 of *The Succession Duty Act* is amended by adding thereto the following subsection: Rev. Stat., c. 378, s. 9, amended

(2a) Notwithstanding anything in this Act, any person may make payment not exceeding \$1,500 under any pension fund, plan or scheme of general application to employees of whom the deceased was one, without the consent of the Treasurer, where payment is made to or for the benefit of any member or members of the family of the deceased, and notice of the making of payment shall be transmitted forthwith to the Treasurer. Payments under pension funds, etc.

**3.** This Act comes into force on the day it receives Royal Assent. Commencement

**4.** This Act may be cited as *The Succession Duty Amendment Act, 1952*. Short title



## CHAPTER 103

**An Act to amend The Summary Convictions Act**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** Subsection 2 of section 13 of *The Summary Convictions Act* is repealed. Rev. Stat.,  
c. 379,  
s. 13, subs. 2,  
repealed
- 2.** This Act may be cited as *The Summary Convictions Amendment Act, 1952*. Short title





## CHAPTER 104

**An Act for granting to Her Majesty certain sums of money for the Public Service for the fiscal year ending the 31st day of March, 1952, and for the Public Service for the fiscal year ending the 31st day of March, 1953**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

MOST GRACIOUS SOVEREIGN:

**W**HEREAS it appears by messages from the Honourable Louis Orville Breithaupt, Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums mentioned in the Schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the fiscal year ending the 31st day of March, 1952, and for the fiscal year ending the 31st day of March, 1953, and for other purposes connected with the public service; may it therefore please Your Majesty that it be enacted and it is hereby enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

**1.** There may be paid out of the Consolidated Revenue Fund a sum not exceeding in the whole \$10,050,000 to be applied towards defraying the several charges and expenses of the public service, not otherwise provided for, from the 1st day of April, 1951, to the 31st day of March, 1952, as set forth in Schedule A to this Act, and such sum shall be paid and applied only in accordance with the votes and items of the estimates upon which such Schedule is based.

\$10,050,000  
granted for  
fiscal year  
1951-52

**2.** There may be paid out of the Consolidated Revenue Fund a sum not exceeding in the whole \$239,226,600 to be applied towards defraying the several charges and expenses of the public service, not otherwise provided for, from the 1st day of April, 1952, to the 31st day of March, 1953, as set forth in Schedule B to this Act, and such sum shall be paid and applied only in accordance with the votes and items of the estimates upon which such Schedule is based.

\$239,226,600  
granted for  
fiscal year  
1952-53

Accounting  
for expendi-  
ture

**3.** The due application of all moneys expended under this Act out of the Consolidated Revenue Fund shall be accounted for to Her Majesty.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The Supply Act, 1952*.

## SCHEDULE A

Education Department.....	\$ 3,300,000.00
Health Department.....	5,750,000.00
Planning and Development Department.....	1,000,000.00
	<hr/>
	\$10,050,000.00

## SCHEDULE B

Agriculture Department.....	\$ 8,782,000.00
Attorney-General's Department.....	10,392,800.00
Education Department.....	68,390,000.00
Health Department.....	45,401,000.00
Highways Department.....	4,531,000.00
Insurance Department.....	145,000.00
Labour Department.....	10,976,000.00
Lands and Forests Department.....	14,390,000.00
Lieutenant-Governor's Office.....	20,000.00
Mines Department.....	2,047,000.00
Municipal Affairs Department.....	4,830,600.00
Planning and Development Department.....	1,090,000.00
Prime Minister's Office.....	268,000.00
Provincial Auditor's Office.....	237,000.00
Provincial Secretary's Department.....	1,404,000.00
Provincial Treasurer's Department.....	5,043,200.00
Public Welfare Department.....	27,224,000.00
Public Works Department.....	23,975,000.00
Reform Institutions Department.....	8,345,000.00
Travel and Publicity Department.....	1,485,000.00
Miscellaneous.....	250,000.00

Total estimate of expenditure for the fiscal  
year 1952-53.....\$239,226,600.00



## CHAPTER 105

**An Act to amend The Surrogate Courts Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Surrogate Courts Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 380,  
amended

15a. Except on Saturdays and holidays when they shall be closed, every surrogate court office shall be kept open from 9.30 a.m. until 4.30 p.m. Office hours

**2.** This Act comes into force on the 1st day of May, 1952. Commence  
ment

**3.** This Act may be cited as *The Surrogate Courts Amendment Act, 1952*. Short title





## CHAPTER 106

**An Act to amend The Territorial Division Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *b* of paragraph 9 of section 1 of *The Territorial Division Act* is repealed. Rev. Stat.,  
c. 388, s. 1,  
par. 9, cl. *b*,  
repealed

(2) Paragraph 14 of the said section 1 is amended by adding thereto the following clause: Rev. Stat.,  
c. 388, s. 1,  
par. 14,  
amended

(*aa*) the Village of Bronte.

(3) Paragraph 16 of the said section 1 is amended by inserting after the designation "Clinton" in clause *a* the designation "Exeter" and by striking out the designation "Exeter" in clause *b*, so that clauses *a* and *b* shall read as follows: Rev. Stat.,  
c. 388, s. 1,  
par. 16,  
amended

(*a*) the towns of Clinton, Exeter, Goderich, Seaforth, Wingham;

(*b*) the villages of Blyth, Brussels, Hensall.

(4) Clause *c* of paragraph 18 of the said section 1 is amended by inserting after the designation "Courtright" in the first line the designation "Grand Bend", so that the clause shall read as follows: Rev. Stat.,  
c. 388, s. 1,  
par. 18, cl. *c*,  
amended

(*c*) the villages of Alvinston, Arkona, Courtright, Grand Bend, Oil Springs, Point Edward, Thedford, Watford, Wyoming.

(5) Paragraph 26 of the said section 1 is amended by adding thereto the following clause: Rev. Stat.,  
c. 388, s. 1,  
par. 26,  
amended

(*cc*) the Improvement District of Ajax.

(6) Clause *b* of paragraph 31 of the said section 1 is repealed and the following substituted therefor: Rev. Stat.,  
c. 388, s. 1,  
par. 31, cl. *b*,  
re-enacted

(*b*) the villages of Alfred, L'Original.

(7)

Rev. Stat.,  
c. 388, s. 1,  
par. 39, cl. *c*,  
amended

(7) Clause *c* of paragraph 39 of the said section 1 is amended by striking out the designation "Humberstone" in the second line, so that the clause shall read as follows:

(*c*) the villages of Chippawa, Crystal Beach, Fonthill.

Rev. Stat.,  
c. 388, s. 1,  
par. 44, cl. *d*,  
amended

(8) Clause *d* of paragraph 44 of the said section 1 is amended by inserting after the designation "Tp. 33, Range 25" the designation "Tp. 33 Additional, Range 25" and by inserting after the designation "Tp. 33, Range 26" the designation "Tp. 33 Additional, Range 26".

Rev. Stat.,  
c. 388, s. 1,  
par. 44,  
amended

(9) Paragraph 44 of the said section 1 is amended by striking out the words "thence south astronomically to the southwest corner of the Township of Johns; thence east along the south boundary of the Township of Johns to the northwest corner of the Township of Common; thence south along the west boundaries of the Townships of Common and Hunt to the southwest corner of the last-mentioned Township; thence west along the south boundary of the Township of Knowles to O.L.S. Speight's meridian of 1902; thence south along O.L.S. Speight's meridian of 1902 and its southerly production to the International Boundary" in the fourth to thirteenth lines immediately following clause *d* and inserting in lieu thereof the words "thence south along O.L.S. Niven's meridian line of 1907 to the southerly extremity thereof; thence continuing south along O.L.S. Speight's meridian line of 1902 to the shore of Lake Superior; thence south astronomically to the International Boundary".

Rev. Stat.,  
c. 388, s. 1,  
par. 53,  
amended

(10) Paragraph 53 of the said section 1 is amended by striking out the words "thence south astronomically to the southwest corner of the Township of Johns; thence east along the south boundary of the Township of Johns to the northwest corner of the Township of Common; thence south along the west boundaries of the Townships of Common and Hunt to the southwest corner of the last-mentioned Township; thence west along the south boundary of the Township of Knowles to O.L.S. Speight's meridian of 1902; thence south along O.L.S. Speight's meridian of 1902 and its southerly production to the International Boundary" in the fourth to thirteenth lines immediately following clause *c* and inserting in lieu thereof the words "thence south along O.L.S. Niven's meridian line of 1907 to the southerly extremity thereof; thence continuing south along O.L.S. Speight's meridian line of 1902 to the shore of Lake Superior; thence south astronomically to the International Boundary".

**2.**—(1) Paragraph 1 of section 2 of *The Territorial Division Act* is amended by inserting after the designation “Macdonald and Meredith” the designation “Michipicoten”. Rev. Stat., c. 388, s. 2, par. 1, amended

(2) Clause *a* of paragraph 2 of the said section 2 is repealed and the following substituted therefor: Rev. Stat., c. 388, s. 2, par. 2, cl. *a*, re-enacted

(*a*) the Improvement District of Kingham (part).

(3) Clause *b* of paragraph 2 of the said section 2 is amended by inserting after the designation “Glackmeyer” the designation “Mountjoy”. Rev. Stat., c. 388, s. 2, par. 2, cl. *b*, amended

(4) Clause *a* of paragraph 3 of the said section 2 is repealed and the following substituted therefor: Rev. Stat., c. 388, s. 2, par. 3, cl. *a*, re-enacted

(*a*) the improvement districts of Balmertown, Sioux Narrows.

(5) Clause *b* of paragraph 9 of the said section 2 is amended by striking out the designation “Cosby and Mason” and inserting in lieu thereof the designation “Cosby, Mason and Martland” and by striking out the designation “Martland”. Rev. Stat., c. 388, s. 2, par. 9, cl. *b*, amended

(6) Clause *a* of paragraph 10 of the said section 2 is amended by inserting after the designation “Beardmore” in the first line the designations “Dorion, Longlac”, so that the clause shall read as follows: Rev. Stat., c. 388, s. 2, par. 10, cl. *a*, amended

(*a*) the improvement districts of Beardmore, Dorion, Longlac, Marathon, Red Rock, Terrace Bay.

**3.**—(1) The west boundaries of the geographic townships of 33 Range 23, 33 Range 24, 33 Range 27, 33 Range 28, 65, Hunt and Common, all in the Territorial District of Algoma, are hereby altered so that the said boundaries shall coincide with the west boundary of the said Territorial District as set out in paragraph 44 of section 1 of *The Territorial Division Act* as amended by subsection 9 of section 1 of this Act. Boundaries of certain townships altered  
Rev. Stat., c. 388

(2) The east boundaries of the geographic townships of Leslie and Knowles in the Territorial District of Thunder Bay are hereby altered so that the said boundaries shall coincide with the east boundary of the said Territorial District as set out in paragraph 53 of section 1 of *The Territorial Division Act* as amended by subsection 10 of section 1 of this Act. Idem

**4.** This Act may be cited as *The Territorial Division Amendment Act, 1952*. Short title



## CHAPTER 107

## An Act to amend The Tourist Establishments Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *d* of section 1 of *The Tourist Establishments Act* Rev. Stat., c. 393, s. 1, cl. *d*, amended is amended by inserting after the word "regulations" in the third line the words "and includes tourist outfitters' camps under *The Game and Fisheries Act*" and by striking out the words "or *The Game and Fisheries Act*" in the fifth and sixth lines, so that the clause shall read as follows:

(*d*) "tourist establishment" means any premises operated for the accommodation of the travelling or vacationing public within the meaning of the regulations and includes tourist outfitters' camps under *The Game and Fisheries Act*, but does not include any premises licensed under *The Liquor Licence Act* or Rev. Stat., cc. 153, 211, 49, 306 any camp operated by a charitable institution within the meaning of *The Charitable Institutions Act* or any summer camp within the meaning of the regulations made under *The Public Health Act*.

2. Clause *b* of subsection 1 of section 2 of *The Tourist Establishments Act* is repealed and the following substituted therefor: Rev. Stat., c. 393, s. 2, subs. 1, cl. *b*, re-enacted

(*b*) providing for the licensing of tourist establishments, except tourist outfitters' camps under *The Game and Fisheries Act*, and the issue, form, renewal, transfer, refusal, suspension or cancellation of such licences and prescribing the fees payable for such licences and renewals thereof.

3. This Act comes into force on the day it receives Royal Assent. Commencement

4. This Act may be cited as *The Tourist Establishments Amendment Act, 1952*. Short title





## CHAPTER 108

## An Act to amend The Trees Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *d* of section 6 of *The Trees Act* is amended by inserting after the word "debentures" in the first line the words "without the assent of the electors but subject to the approval of the Ontario Municipal Board", so that the clause shall read as follows:

- (*d*) for the issuing of debentures, without the assent of the electors but subject to the approval of the Ontario Municipal Board, from time to time for the purpose of providing for the purchase of such land to an amount not exceeding \$25,000 to be owing at any one time.

**2.** *The Trees Act* is amended by adding thereto the following section:

- 6a.—(1) The council of any city, town, village or township, having a population of not less than 10,000, shall have all the powers, privileges and authority conferred on the council of a county by section 6.

- (2) Land may be acquired under subsection 1 in another municipality with the consent of the council thereof.

- (3) Where a municipality acquires land in another municipality under this section, the council of the first-mentioned municipality may agree to pay annually to the municipality in which the land is situate a sum not exceeding the amount that would have been payable to the municipality as taxes if the land were not exempt from taxation.

**3.**—(1) Subsection 1 of section 7 of *The Trees Act* is amended by inserting after the word "township" in the first line the words and figures "having a population of less than 10,000", so that the subsection shall read as follows:

Powers of  
township  
councils

- (1) The council of any township having a population of less than 10,000 shall have all the powers, privileges and authority conferred by clauses *a*, *b*, *c*, *e* and *f* of section 6 on the council of a county.

Rev. Stat.,  
c. 399, s. 7,  
subs. 2,  
amended

- (2) Subsection 2 of the said section 7 is amended by inserting after the word "any" in the first line the word "such", so that the subsection shall read as follows:

Idem

- (2) The council of any such township shall have power and authority to levy by special rate a sum not exceeding \$1,000 in any year for the purpose of providing for the purchase of such land.

Rev. Stat.,  
c. 399, s. 9,  
amended

4. Section 9 of *The Trees Act* is amended by inserting after the figure "6" in the first line the figure and letter "6a", so that the section shall read as follows:

Approval  
of by-law  
by Minister

9. No by-law shall be finally passed under section 6, 6a, 7 or 8 until approved in writing by the Minister of Lands and Forests.

Commence-  
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Trees Amendment Act, 1952*.

## CHAPTER 109

## An Act to amend The Trustee Act

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 26 and 27 of *The Trustee Act* are repealed and the following substituted therefor:

Rev. Stat.,  
c. 400,  
ss. 26, 27,  
re-enacted

26. A trustee may invest any trust money in his hands in the classes of securities mentioned in this section, but only if the investment is in other respects reasonable and proper,

Authorized  
investments

(a) bonds, debentures or other evidences of indebtedness,

government  
and municipal  
securities

(i) of or guaranteed by the Government of Canada,

(ii) of or guaranteed by the government of any province of Canada,

(iii) of or guaranteed by the Government of the United Kingdom,

(iv) of any municipal corporation in Canada, including debentures issued for public, separate, high or vocational school purposes, or guaranteed by any municipal corporation in Ontario, or secured by or payable out of rates or taxes levied under the law of any province of Canada on property in such province and collectable by or through the municipality in which such property is situated;

(b) first mortgages, charges or hypothecs upon real estate in Canada;

mortgages  
on real  
estate

(c)

Dominion  
subsidy  
bonds

(c) bonds, debentures or other evidences of indebtedness of a corporation that are secured by the assignment to a trustee of payments that the Government of Canada has agreed to make, if such payments are sufficient to meet the interest as it falls due on the bonds, debentures or other evidences of indebtedness outstanding and to meet the principal amount of the bonds, debentures or other evidences of indebtedness upon maturity;

loan  
company  
debentures

Rev. Stat.,  
c. 214

(d) debentures of any loan corporation that is registered under *The Loan and Trust Corporations Act*;

trust  
company  
guaranteed  
investments

(e) guaranteed investment certificates of any trust company that is registered under *The Loan and Trust Corporations Act*.

Power to  
deposit  
trust  
money

27. A trustee may, pending the investment of any trust money, deposit it during such time as is reasonable in the circumstances in any chartered bank of Canada, or in the Province of Ontario Savings Office, or in any trust company or loan corporation that is registered under *The Loan and Trust Corporations Act*.

Rev. Stat.,  
c. 214

Short title

**2.** This Act may be cited as *The Trustee Amendment Act, 1952*.

## CHAPTER 110

**An Act to amend The Vendors and Purchasers Act**

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 3 of *The Vendors and Purchasers Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 407, s. 3,  
re-enacted

3.—(1) A vendor or purchaser of real or leasehold estate or his representative may at any time and from time to time apply in a summary way to the Supreme Court or a judge thereof or to the county or district court of the county or district in which the land or any part thereof is situate in respect of any requisition or objection or any claim for compensation or any other question arising out of or connected with the contract, except a question affecting the existence or validity of the contract, and the court or the judge may make such order upon the application as may be deemed just. Applications  
to court as  
to requisitions, objections,  
compensation,  
etc.

(2) Where an application under subsection 1 is made to a county or district court, a respondent may, by notice served on the applicant and on the other respondents, if any, and filed with proof of service thereof with the clerk of the county or district court not later than two days preceding the day of return of the application, require the proceedings to be removed into the Supreme Court. Removal  
of proceed-  
ings into  
Supreme  
Court

(3) Upon the filing of the notice and proof of service thereof, the clerk of the county or district court shall forthwith transmit the papers and proceedings to the proper office of the Supreme Court in the county or district in which the application is made. Transmission  
of proceed-  
ings

(4) When the papers and proceedings are received at the proper office of the Supreme Court, the proceedings shall *ipso facto* be removed into the Supreme Court. Removal of  
proceedings

Reference  
to master

- (5) Where an application under subsection 1 is made to or is removed into the Supreme Court, the court or judge may refer any question to a master or other officer for inquiry and report.

Appeal

- (6) An appeal shall lie to the Court of Appeal from any order made under this section.

Short title

- 2.** This Act may be cited as *The Vendors and Purchasers Amendment Act, 1952*.





Compulsory  
attendance

(3a) Subject to the regulations, a resident pupil,

Rev. Stat.,  
cc. 347, 6

(a) who is required to attend school under *The School Attendance Act* or *The Adolescent School Attendance Act*; and

(b) in respect of whom a recommendation that he attend a special industrial school established by the school board has been made and approved under subsection 3,

may be required by the school board to attend such special industrial school, and shall be exempt from the payment of fees.

Rev. Stat.,  
c. 413, s. 21,  
cl. e,  
repealed

**3.** Clause *e* of section 21 of *The Vocational Education Act* is repealed.

Commence-  
ment

**4.** This Act comes into force on the day it receives Royal Assent.

Short title

**5.** This Act may be cited as *The Vocational Education Amendment Act, 1952*.

## CHAPTER 112

## An Act to amend The Voters' Lists Act, 1951

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 9 of *The Voters' Lists Act, 1951* is amended by adding thereto the following subsection: 1951,  
c. 93, s. 9,  
amended

- (2) Where the assessment roll of a municipality is not returned on or before the 1st day of October and there is not or will not be time after its return to complete the preparation and revision of the voters' list in accordance with the other provisions of this Act before the time set for the polling in the municipality, the clerk shall print, post up and distribute in accordance with subsection 1 the required number of copies of the voters' list as certified in the next preceding year, and the proceedings thereafter shall be the same as if the list so printed, posted up and distributed were a list prepared by the clerk in accordance with sections 7 and 8. Where  
assessment  
roll delayed

2.—(1) Subsection 3 of section 16 of *The Voters' Lists Act, 1951* is amended by striking out the words "and the allowances and expenses payable to the judge" in the third and fourth lines, so that the subsection shall read as follows: 1951,  
c. 93, s. 16,  
subs. 3,  
amended

- (3) The proceedings thereafter by the judge, clerk and the parties respectively, and the powers and duties of the judge, clerk and other persons shall be the same, as nearly as may be, as in the case of an appeal from the court of revision under *The Assessment Act*, but no deposits shall be required. Procedure  
Rev. Stat.,  
c. 24

(2) The said section 16 is amended by adding thereto the following subsection: 1951,  
c. 93, s. 16,  
amended

- (3a) The judge shall be paid by the municipality such allowances and expenses as may be prescribed by the Lieutenant-Governor in Council. Allowances  
and expenses  
of judge

1951, c. 93,  
Sched.,  
Form 10,  
amended

**3.**—(1) Form 10 in the Schedule to *The Voters' Lists Act, 1951* is amended by striking out the words "and you are hereby required to appear at the court" in the seventh and eighth lines.

1951, c. 93,  
Sched.,  
Form 11,  
amended

(2) Form 11 in the said Schedule is amended by striking out the words "you are required to appear at the court, for" in the sixth line.

Short title

**4.** This Act may be cited as *The Voters' Lists Amendment Act, 1952*.

## CHAPTER 113

## The Warble Fly Control Act, 1952

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "cattle owner" means any person owning or keeping one or more head of cattle and includes any person in charge of premises where cattle are kept; R.S.O. 1950, c. 416, s. 1, cl. (a), *amended*.
- (b) "Commissioner" means Live Stock Commissioner;
- (c) "inspector" means an inspector appointed under this Act and includes the chief inspector;
- (d) "Minister" means Minister of Agriculture;
- (e) "municipality" means township;
- (f) "regulations" means regulations made under this Act;
- (g) "treated for warble fly" means treated in accordance with the regulations by the brush method or by the spray method;
- (h) "warble fly" means the insect known as *Hypoderma Bovis* or *Hypoderma Lineatum*. R.S.O. 1950, c. 416, s. 1, cls. (b-h).

**2.—**(1) Upon receipt of a petition that bears the signatures of more than two-thirds of the cattle owners in the municipality, the council thereof at its next meeting shall pass a by-law requiring all the cattle within the municipality to be treated for warble fly. R.S.O. 1950, c. 416, s. 2 (1), *amended*.

Copy to  
be sent to  
Commis-  
sioner

(2) The clerk of the municipality shall send a certified copy of the by-law to the Commissioner within seven days after it is passed. R.S.O. 1950, c. 416, s. 2 (2).

Exemption

(3) Where a by-law passed under this Act has been in force for a period of two consecutive years, the council of the municipality may with the approval of the Minister amend the by-law to exempt from the by-law any cattle or any class of cattle that may be so exempted under the regulations. *New.*

Appoint-  
ment of  
inspectors;  
purchase of  
supplies

**3.**—(1) Where the council of a municipality has passed a by-law under this Act, the council shall appoint before the 1st day of April in each year one or more inspectors to enforce the by-law, and may purchase or otherwise acquire such equipment and material as it deems fit for the treatment of cattle for warble fly. R.S.O. 1950, c. 416, s. 3 (1), *amended.*

Depart-  
mental  
inspectors

(2) The Minister may appoint a chief inspector and one or more inspectors whose duties shall be to carry out the provisions of this Act and the regulations.

Evidence of  
appointment

(3) The production by an inspector of a certificate of his appointment purporting to be signed by the clerk of the municipality or by the Minister, as the case may be, shall be accepted as *prima facie* evidence of his appointment under this Act.

Power to  
enter  
premises

(4) In the performance of his duties under this Act an inspector may at any time between sunrise and sunset enter any land or building other than a dwelling house and may inspect all cattle on the premises for warble fly grubs. R.S.O. 1950, c. 416, s. 3 (2), *amended.*

Duty of  
cattle owners

**4.**—(1) Where the council of a municipality has passed a by-law under this Act, every cattle owner in the municipality shall treat or make available his cattle for treatment for warble fly in accordance with the regulations, and make available for inspection any cattle on his premises.

Power of  
inspectors  
to treat  
for warble  
fly

(2) Where an inspector on or after the 18th day of April in any year finds upon inspection that a cattle owner has not treated his cattle for warble fly, or that treatment for warble fly by a cattle owner has not been effective in destroying warble fly grubs, the inspector may cause the cattle to be treated for warble fly.

Cost of  
treatment  
by inspector

(3) Every cattle owner who does not treat his cattle for warble fly shall be liable for the cost of such treatment by the inspector, and the cost thereof shall be payable on demand and shall be recoverable in any court of competent jurisdiction.



(4) The council of a municipality or the Minister, as the case may be, may authorize an inspector to accept payment from a cattle owner for the cost of treatment of his cattle and to give a receipt therefor. *New.* <sup>Payment to inspector</sup>

5. Where a cattle owner brings or receives cattle into a municipality during the period within which treatments for warble fly are required in any year, production of a certificate of treatment of the cattle for warble fly issued by any inspector shall be accepted as evidence of treatment. *New.* <sup>Bringing cattle into municipality</sup>

6. No person shall hinder or obstruct an inspector in the course of his duties in entering land or buildings, inspecting cattle for warble fly grubs or treating cattle for warble fly. *New.* <sup>Obstruction of inspectors</sup>

7. Every cattle owner who fails to comply with this Act or the regulations or any by-law passed under this Act shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$10 and not more than \$50 for a first offence, and to a penalty of not less than \$50 and not more than \$200 or to imprisonment for a term of not more than thirty days for any subsequent offence. R.S.O. 1950, c. 416, s. 4, *amended.* <sup>Offences and penalties</sup>

8. The Lieutenant-Governor in Council may make regulations, <sup>Regulations</sup>

- (a) defining the brush method and the spray method of treatment for warble fly;
- (b) designating the ingredients to be used and the strength thereof and prescribing the number of treatments that shall be given in a year and the times at which the treatments shall be given;
- (c) providing for the cattle or classes of cattle that may be exempted from the provisions of a by-law passed under this Act;
- (d) providing for the instruction of inspectors and prescribing their duties;
- (e) prescribing the form of inspectors' certificates;
- (f) providing for the making of grants by the Minister out of such moneys as may be appropriated therefor by the Legislature so as to reimburse any municipality to such extent as is designated for any expense it has been put to under a by-law passed under this Act;

(g)

- (g) respecting the control of warble fly in unorganized territory and providing for the payment of the cost thereof;
- (h) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1950, c. 416, s. 5, *amended*.

Rev. Stat.,  
c. 416,  
repealed

**9.** *The Warble Fly Control Act* is repealed.

Existing  
by-laws  
continued

**10.** Every by-law passed under *The Warble Fly Control Act* that is in force when this Act comes into force shall remain in force as though that Act had not been repealed and shall be acted upon under this Act as though it had been passed under this Act.

Commence-  
ment

**11.** This Act comes into force on the day it receives Royal Assent.

Short title

**12.** This Act may be cited as *The Warble Fly Control Act, 1952*.

## CHAPTER 114

# An Act to amend The Workmen's Compensation Act

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *g* of subsection 1 of section 1 of *The Workmen's Compensation Act* is amended by inserting after the word "Province" in the seventh line the words "and includes a person who authorizes or permits a learner to be in or about an industry for the purpose mentioned in clause *kk*", so that the clause shall read as follows:

Rev. Stat.,  
c. 430, s. 1,  
subs. 1, cl. *g*,  
amended

- (*g*) "employer" includes every person having in his service under a contract of hiring or apprenticeship, written or oral, express or implied, any person engaged in any work in or about an industry and includes the Crown in right of the Province and any permanent board or commission appointed by the Crown in right of the Province and includes a person who authorizes or permits a learner to be in or about an industry for the purpose mentioned in clause *kk*, and where the services of a workman are temporarily lent or hired to another person by the person with whom the workman has entered into such a contract the latter is deemed to continue to be the employer of the workman while he is working for that other person.

(2) Subsection 1 of the said section 1 is amended by adding thereto the following clauses:

Rev. Stat.,  
c. 430, s. 1,  
subs. 1,  
amended

- (*kk*) "learner" means a person who, although not under a contract of service or apprenticeship, becomes subject to the hazards of an industry within the scope of Part I for the purpose of undergoing training or probationary work specified or stipulated by the employer as a preliminary to employment;

. . . . .

(*nn*)

- (nn) "member of a municipal volunteer fire brigade" means a person whose membership has been approved either by the chief of the fire department of a corporation, commission or board mentioned in subsection 2 or by a duly authorized official thereof.

Rev. Stat.,  
c. 430, s. 1,  
subs. 1, cl. 5,  
amended

- (3) Clause 5 of subsection 1 of the said section 1 is amended by inserting after the word "otherwise" in the fourth line the words "and includes a learner and a member of a municipal volunteer fire brigade", so that the clause shall read as follows:

- (s) "workman" includes a person who has entered into or works under a contract of service or apprenticeship, written or oral, express or implied, whether by way of manual labour or otherwise, and includes a learner and a member of a municipal volunteer fire brigade, but when used in Part I does not include an outworker or an executive officer of a corporation.

Rev. Stat.,  
c. 430, s. 1,  
amended

- (4) The said section 1 is amended by adding thereto the following subsection:

Volunteer  
fire  
brigades

- (3) For the purposes of this Act a municipal corporation, commission or board mentioned in subsection 2 shall be deemed to be the employer of a member of a municipal volunteer fire brigade, and such employment shall be deemed to be included in the exercise and performance of the powers and duties of the corporation, commission or board and it shall yearly on or before such date as the Board may prescribe or at such other times as the Board may prescribe notify the Board, specifying the number of volunteers engaged and shall state the average earnings of such volunteers which in no case shall be less than \$2,000 or more than \$4,000 per annum.

Rev. Stat.,  
c. 430, s. 32,  
subs. 1,  
amended

2. Subsection 1 of section 32 of *The Workmen's Compensation Act* is amended by striking out the words "if invested so as to earn interest at the rate of five per cent per annum" in the fifth, sixth and seventh lines, so that the subsection shall read as follows:

Where  
employer  
required to  
pay capital  
sum

- (1) Where the accident causes total or partial permanent disability or the death of the workman and the compensation is payable by the employer individually, the Board may require the employer to pay to the Board such sum as in its opinion will be sufficient with the interest thereon to meet the future payments to be made to the workman or his dependants, and such sum when paid to the Board shall be invested by it and shall form a fund to meet such future payments.

**3.** Section 69 of *The Workmen's Compensation Act* is amended by adding thereto the following subsections: Rev. Stat., c. 430, s. 69, amended

(2a) The employees of designated associations for accident prevention formed under subsection 1 of section 115 and the employees of designated corporations for accident prevention the members of which are employers within the meaning of section 115 shall for the purposes of this section be deemed to be employees of the Board, and every employee in the service of any such association or corporation when this provision comes into force shall, for the purposes of this section, be deemed to have entered the service of the Board on the date he last entered the service of his association or corporation. Employees of accident prevention associations

(2b) The Board may designate associations and corporations for the purposes of subsection 2a. Idem

**4.** *The Workmen's Compensation Act* is amended by adding thereto the following section: Rev. Stat., c. 430, amended

119a. For the purposes of this Act, every person who under subsection 2 of section 167 of the *Criminal Code* (Canada) is required to assist in arresting any person or in preserving the peace shall be deemed to be an employee of the Crown in right of Ontario and his average earnings shall be deemed to be the same in amount as his average earnings at his regular employment but in any case not less than \$15 per week and not more than \$4,000 per annum. Assistance to peace officers R.S.C. 1927, c. 36

**5.** This Act, except the provisions respecting members of municipal volunteer fire brigades, comes into force on the day it receives Royal Assent, and the provisions respecting the members of municipal volunteer fire brigades come into force on the 1st day of January, 1953. Commencement

**6.** This Act may be cited as *The Workmen's Compensation Amendment Act, 1952*. Short title





PART II  
PRIVATE ACTS  
Chapters 115 to 142



## CHAPTER 115

## An Act respecting the Town of Barrie

*Assented to April 10th, 1952**Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the Town of Barrie <sup>Preamble</sup> by its petition has represented that under the terms of the original grant from the Crown of the lands known as the Market Square in the Town the use of the lands is restricted, and has prayed for special legislation to vest the Market Square in the Corporation in fee simple; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The lands composed of the Market Square at the intersection of Mulcaster and Collier Streets in the Town of Barrie, more particularly described as: <sup>Market Square vested in Corporation</sup>

COMMENCING at the south-west angle of the said parallelogram; then north six chains fifty links more or less to the north-west angle of the said parallelogram; then east five chains fifty links more or less to the north-east angle of the said parallelogram; then south six chains fifty links more or less to the south-east angle of the said parallelogram; then west five chains fifty links more or less to the place of beginning,

are hereby vested in The Corporation of the Town of Barrie in fee simple.

(2) The trusts and special purposes mentioned in the original grant of the said lands from the Crown are hereby <sup>Restrictions annulled</sup> annulled.

(3) Notwithstanding anything in the said original grant, the Corporation shall have power to sell, lease, convey and contract in regard to the said lands and every part thereof, subject nevertheless to the reservations as to mineral rights expressed in the said original grant. <sup>Power to sell, etc.</sup>

(4) Every disposition of or contract in regard to the said lands or any part thereof shall be under the seal of the Corporation and signed by the mayor and clerk thereof, for the time being. <sup>Execution of documents</sup>

Application  
of proceeds

(5) The proceeds of every disposition by the Corporation of the said lands under this Act shall be held and applied by it for the general purposes or uses of the Corporation.

Liability  
to provide  
alternate  
market

2. The Corporation of the Town of Barrie shall provide for the purpose of a market, in a suitable location within the Corporation limits or the adjoining municipalities, an area not less than one acre of land and a market house with a floor area of not less than 2,000 square feet, in lieu of the land and market building in use for the said purpose on the 1st day of January, 1952, and located on the said Market Square, if and when the said area of land and market house become unsatisfactory or inadequate for the said purpose.

Commence-  
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Town of Barrie Act, 1952*.

## CHAPTER 116

# An Act respecting the Canadian National Exhibition Association

*Assented to March 17th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS the Canadian National Exhibition Association by its petition has prayed for special legislation to amend *The Canadian National Exhibition Association Act, 1948*, c. 105, 1948; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 6 of section 5 of *The Canadian National Exhibition Association Act, 1948*, as amended by subsection 4 of section 1 of *The Canadian National Exhibition Association Amendment Act, 1949*, is repealed and the following substituted therefor:

- (6) Notice of appointment of representatives of the bodies named in subsections 3 and 4 and the names and addresses of such representatives, signed by the president and secretary of each of the said bodies (other than the council of the County of York and The Hydro-Electric Power Commission of Ontario) together with a statement, verified by statutory declaration of such secretary, of the total number of members of the body at the date of its annual meeting, the number of such members who upon the said date had paid their fees to the body, and the number of such members who attended the annual meeting, shall forthwith after such meeting be given to the Association so that the same shall be received by the secretary of the Association not later than the third Wednesday of January in each year at the hour of 12 o'clock noon.

2. This Act comes into force on the day it receives Royal Assent.

3. This Act may be cited as *The Canadian National Exhibition Association Amendment Act, 1952*.





## CHAPTER 117

**An Act respecting The Ottawa Association  
for the Advancement of Learning**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS The Ottawa Association for the Advance- Preamble  
ment of Learning by its petition has represented that  
it was incorporated in 1943 by letters patent under *The* <sup>R.S.O. 1937,  
c. 251</sup>  
*Companies Act*, and has prayed for further powers; and  
whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) "Board" means the Board of Governors of the College;
- (b) "Chancellor" means Chancellor of the College;
- (c) "College" means Carleton College;
- (d) "Corporation" means the body corporate of the College;
- (e) "Faculty Boards" means the teaching staffs of the respective faculties or schools of the College, of the rank of professor, associate professor, assistant professor or lecturer;
- (f) "President" means President of the College;
- (g) "property" includes all property, both real and personal;
- (h) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (i) "Senate" means Senate of the College;

(j)

- (j) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction or in research.

Corporation  
continued  
under new  
name

**2.** The corporation of The Ottawa Association for the Advancement of Learning is hereby continued as a body corporate with perpetual succession and a common seal under the name Carleton College, and, subject to the provisions of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it now has, holds, possesses or enjoys, and, subject to the provisions of this Act, all by-laws now in force shall continue in force until amended or repealed by the Board.

Objects and  
purposes

**3.** The objects and purposes of the College are:

- (a) The advancement of learning.
- (b) The dissemination of knowledge.
- (c) The intellectual, social, moral and physical development of its members, and the betterment of its community.
- (d) The establishment and maintenance of a non-sectarian college with university powers, having its seat in or about the City of Ottawa.

Faculties,  
and schools

**4.** The College shall have power to establish and maintain such faculties, schools, institutes, departments, chairs and courses of instruction as shall be deemed meet by the Board.

Granting  
of degrees

**5.** The College shall have power and authority to grant in all branches of learning any and all university degrees and honorary degrees, and diplomas.

Religious  
tests not  
required

**6.** A religious test shall not be required of any professor, lecturer, teacher, officer or servant of the College, or of any student thereof or therein; nor shall attendance upon or participation in any religious instruction or observances be at any time other than voluntary.

Property

Rev. Stat.,  
c. 184

**7.** The College shall have, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by deed, gift, bequest or devise and to hold and enjoy any estate or property whatsoever and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part

thereof

thereof from time to time and as occasion may require, and to acquire other estate or property, in addition to or in the place thereof, without licence in mortmain and without limitation as to the period of holding.

**8.** All property heretofore or hereafter granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of the College, or of any faculty, school or department thereof or otherwise in connection therewith, subject to any trust or trusts affecting the same, shall be vested in the College. Trust property vested in College

**9.** Property vested in the College shall not be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking land compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto. Property not liable to expropriation

**10.** Property vested in the College shall not be liable to taxation for provincial, municipal or school purposes and shall be exempt from every description of such taxation, but the interest of every lessee and occupant (other than an officer of the College or a member of the teaching staff or a student or servant of the College or an association or society of graduates or undergraduates or teachers or officers of the College) of real property vested in the College shall be liable to taxation. Tax exemption

**11.** All property vested in the College shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. Application of statutes of limitations

**12.** The property, and the income, revenues, issues and profits of all property, of the College, shall be applied solely to achieving the objects and purposes of the College. Application of property to objects

**13.** The funds of the College not immediately required for its purposes, and the proceeds of all property which comes to the hands of the Board, subject to any trust or trusts affecting the same, may be invested and re-invested in such investments as the Board shall deem meet. Investment of funds

**14.** The College, if authorized by by-law of the Board, may, Borrowing powers

- (a) borrow money on its credit in such amount, on such terms and from such persons, firms or corporations,

including

including chartered banks, as may be determined by the Board;

- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) hypothecate, pledge, charge or mortgage any part or all of the property of the College to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the College to secure any such bonds, debentures and obligations,

provided that no expenditure shall be made or liability incurred which has the effect of involving or impairing any endowment of the College.

Government  
of College  
vested in  
Board

**15.—**(1) The government, conduct, management and control of the College and of its work, affairs and business, and of its property and revenues, and all other matters shall be vested in a Board of Governors which shall have all powers necessary or convenient to perform its duties and achieve the objects and purposes of the College, including the power to make by-laws in respect thereof.

By-laws

(2) By-laws of the Board shall not require confirmation by the members of the Corporation.

Powers of  
Board

(3) Included in the powers of the Board shall be power of appointment of,

- (a) the Chancellor;
- (b) the President;
- (c) deans of faculties and members of the teaching staff; and
- (d) all other officers, employees and servants of the College,

but no person shall be appointed as a dean of a faculty, or as a member of the teaching staff of the College or of any faculty

or school thereof unless he has been first nominated by the President, and no dean of a faculty or member of the teaching staff of the College or of any faculty or school thereof shall be promoted or removed from office except upon the recommendation of the President, but this provision shall not apply where there is a vacancy in the office of President.

**16.**—(1) The Board shall be composed of the Chancellor, <sup>Board of</sup>  
*ex officio*, the President, *ex officio*, and twenty-four elected <sup>Governors</sup>  
members.

(2) The members of the Board now in office shall continue <sup>Present</sup>  
in office until their successors are elected according to the <sup>members</sup>  
by-laws.

**17.** Notwithstanding any vacancies on the Board, as long <sup>Quorum</sup>  
as there are at least twelve members the Board may exercise  
its powers, and, unless otherwise fixed by by-law of the  
Board, seven members shall constitute a quorum.

**18.** Without limiting the general powers conferred upon <sup>Special</sup>  
or vested in the Board, the Board may make by-laws, <sup>by-laws</sup>

- (a) respecting membership in the Corporation;
- (b) respecting the election of members of the Board and its officers, their terms of office, and meetings and attendance at meetings, and fixing the quorum of the Board;
- (c) providing for the appointment of committees by the Board and for conferring authority upon any of such committees to act for the Board with respect to any matter or class or classes of matters;
- (d) providing for the appointment and establishment of such advisory, deliberative or administrative persons, offices and bodies of the College as shall be deemed meet by the Board, and fixing their respective memberships, powers and duties.

**19.**—(1) There shall be a Chancellor of the College who <sup>Chancellor</sup>  
shall be appointed by the Board and who, subject to the will  
of the Board, shall hold office for a term of three years or  
until his successor is appointed.

(2) The Chancellor shall be the titular head of the College <sup>Idem</sup>  
and shall confer all degrees.

(3) In the absence of the Chancellor and Vice Chancellor, <sup>Degrees</sup>  
the Senate shall appoint one of its members to confer degrees.



President

**20.**—(1) There shall be a President of the College who shall be appointed by the Board and who, unless otherwise provided, shall hold office during the pleasure of the Board.

Idem

(2) The President shall be Vice Chancellor and chief executive officer of the College and in the absence of or vacancy in the office of the Chancellor shall perform the functions of the Chancellor, and, subject to the will of the Board, the President shall have supervision over and direction of the academic work and general administration of the College and the teaching staff thereof, and the officers and servants thereof, and the students thereof, and shall also have such other powers and duties as from time to time may be conferred upon or assigned to him by the Board.

Vacancy  
in office

(3) If there is a vacancy in the office of President, the Board may appoint a member of any faculty or school to act and perform the functions and duties of President *pro tempore*.

Senate

**21.** There shall be a Senate of the College, composed as follows:

- (a) The President, *ex officio*, who shall be its chairman.
- (b) Deans or chairmen of Faculty Boards, *ex officio*.
- (c) Members of Faculty Boards of the College of the rank of full professor, *ex officio*.
- (d) Such other persons as the Board shall determine.

Powers  
of Senate

**22.** Unless otherwise determined by by-law of the Board, the Senate shall,

- (a) consider and determine all courses of study, including requirements for admission;
- (b) recommend the establishment of additional faculties, schools, departments, chairs, or courses of instruction in the College;
- (c) receive and consider recommendations respecting academic matters from the Faculty Boards of the College;
- (d) conduct examinations and appoint examiners;
- (e) grant degrees and honorary degrees, and diplomas;
- (f) award College scholarships, medals and prizes;

(g)



- (g) make rules and regulations respecting the conduct and activities of the students of the College;
- (h) publish the College calendars;
- (i) make such recommendations as may be deemed proper for achieving the objects and purposes of the College;
- (j) make rules and regulations for the conduct of its affairs.

**23.**—(1) Persons who on the day this Act comes into force are members of The Ottawa Association for the Advancement of Learning shall continue to be members of the Corporation according to the by-laws. <sup>Members of the Corporation</sup>

(2) The members of the Corporation, jointly or severally, may make recommendations to the Board on matters pertaining to the achievement of the objects and purposes of the College. <sup>Recommendations to Board</sup>

**24.** The accounts of the College shall be audited at least once a year by a practising auditor. <sup>Audit</sup>

**25.** The College shall submit to the Lieutenant-Governor in Council, upon request, the annual report of the College, and such other reports as may be so requested from time to time. <sup>Reports to Lieutenant-Governor</sup>

**26.** This Act comes into force on the day it receives Royal Assent. <sup>Commencement</sup>

**27.** This Act may be cited as *The Carleton College Act*, 1952. <sup>Short title</sup>



## CHAPTER 118

# An Act respecting Credit Foncier Franco-Canadien

*Assented to March 17th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS Credit Foncier Franco-Canadien by its Preamble petition has represented that it was incorporated by an Act of the Legislature of the Province of Quebec, entitled *An Act to incorporate the "Credit Foncier Franco-Canadien"*, being chapter 60 of the Statutes of Quebec, 1880, and that the Company is authorized to carry on business in Ontario by *An Act respecting the Credit Foncier Franco-Canadien*, being chapter 51 of the Statutes of Ontario, 1881, which last-mentioned Act was amended by *The Credit Foncier Franco-Canadien Act, 1946*; and whereas the Company is desirous of having its power to acquire real estate for its own purposes enlarged so as to authorize it to acquire and hold such real estate as is necessary for the transaction of its business in Ontario and, when so authorized by the Lieutenant-Governor in Council, to acquire or construct a building larger than is required for the transaction of its business; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 9 of *An Act respecting the Credit Foncier Franco-Canadien*, being chapter 51 of the Statutes of Ontario, 1881, as amended by subsection 3 of section 1 of *The Credit Foncier Franco-Canadien Act, 1946*, is repealed and the following substituted therefor:

- 9.—(1) The said corporation may acquire and hold for its own use and benefit such real estate as is necessary for the transaction of its business in Ontario or is acquired or held bona fide for building upon or improving for that purpose, and when so authorized by the Lieutenant-Governor in Council may acquire or may construct on any land so held a building larger than is required for the transaction of its business and may lease any part of the building not so required or may sell, mortgage or dispose of such real estate.

Idem

- (2) The said corporation may also hold real estate, which having been mortgaged or hypothecated to it, has been acquired by it for the protection of its investment, and real estate conveyed to it in satisfaction of debts previously contracted in the course of its business, and may from time to time sell, mortgage, lease, exchange or otherwise dispose of the same, but it shall sell or otherwise dispose of real estate so acquired subject to and within the time limited under *The Loan and Trust Corporations Act* for a corporation not being a loaning land corporation.

Rev. Stat.,  
c. 214Commence-  
ment

- 2.** This Act comes into force on the day it receives Royal Assent.

Short title

- 3.** This Act may be cited as *The Credit Foncier Franco-Canadien Act, 1952*.

## CHAPTER 119

## An Act respecting the Town of Fort Erie

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the Town of Fort Erie Preamble  
 by its petition has prayed for special legislation with  
 respect to the constitution of its Recreation Committee  
 established under the regulations under *The Department of* Rev. Stat.,  
cc. 94,  
58, 314  
*Education Act* (hereinafter called the Committee), the Fort  
 Erie Community Memorial Arena Commission established  
 under *The Community Centres Act* (hereinafter called the  
 Commission), and the Fort Erie Board of Park Management  
 established under *The Public Parks Act* (hereinafter called  
 the Board); and whereas it is expedient to grant the prayer  
 of the petition;

Therefore, Her Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:

**1.**—(1) Notwithstanding *The Department of Education Act* Constitu-  
tion of  
Committee,  
etc.  
 and the regulations thereunder, *The Community Centres Act*  
 and the regulations thereunder, and *The Public Parks Act*,  
 the Committee, the Commission and the Board shall each con-  
 sist of the head of the council of the Town as a member  
*ex officio*, two members of the council of the Town to be  
 appointed annually by the council, and six members, who are  
 residents or ratepayers of the Town and are not full-time  
 employees of the Town or a local board thereof, to be appointed  
 by the council.

(2) The Committee, the Commission and the Board may Idem  
 be composed of the same persons.

(3) The members who are not members of the council Term of  
office of  
non-council  
members  
 shall hold office for three years, provided that on the first  
 appointment the council, from among such six members,  
 shall designate members who shall hold office,

(a) until the 1st day of January of the year following  
 the date of appointment;

(b) until the 1st day of January of the second year  
 following the date of appointment;

(c)

(c) until the 1st day of January of the third year following the date of appointment,

respectively, so that one-third of such non-council members shall retire each year.

Re-appointment

(4) The members shall hold office until their successors are appointed and shall be eligible for re-appointment.

Vacancies

(5) Where a member ceases to be a member before the expiration of his term, the council shall appoint another eligible person for the unexpired portion of the term.

Quorum

(6) A majority of the members shall constitute a quorum.

Chairman and vice-chairman

(7) The Committee, the Commission and the Board shall elect a chairman, and a vice-chairman who shall preside in the absence of the chairman, and one person may but need not be chairman of the Committee, the Commission and the Board and one person may but need not be vice-chairman of the Committee, the Commission and the Board.

Authority of Committee, etc.

Rev. Stat.,  
cc. 94, 58,  
314

**2.**—(1) The Committee, the Commission and the Board shall in all matters have and retain the authority and powers granted under and shall be deemed to have been established in accordance with the provisions of *The Department of Education Act* and the regulations thereunder, *The Community Centres Act* and the regulations thereunder and *The Public Parks Act*, respectively.

Grants

(2) Nothing in this Act shall be deemed to affect the eligibility of the Town, or of the Committee, the Commission or the Board, for any grants under any Act of the Legislature to which it would otherwise be entitled.

Commission to be board under  
Rev. Stat.,  
c. 58

(3) The Commission shall be the board under *The Community Centres Act* for all community centres established under that Act for the Town.

Commencement

**3.** This Act comes into force on the day it receives Royal Assent.

Short title

**4.** This Act may be cited as *The Town of Fort Erie Act, 1952*.



## CHAPTER 120

# An Act respecting the City of Fort William

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the City of Fort William Preamble by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 20 of *An Act to incorporate the City of Fort William* 1907, and for Other Purposes, being chapter 66 of the Statutes of c. 66, s. 20, amended Ontario, 1907, as amended by section 5 of *An Act respecting the City of Fort William*, being chapter 88 of the Statutes of Ontario, 1911, is further amended by striking out the figures "15" in the amendment of 1911 and inserting in lieu thereof the figures "20", so that the section shall read as follows:

20. Every owner of property which is drained into any common sewer, and every owner of property in front of which a sewer is constructed as a local improvement, shall pay a uniform frontage tax of 20 cents per annum per foot frontage of the property so drained, to be assessed on each assessable foot of frontage property so drained for a period of twenty-five years, and the said tax shall be levied and collected in the same manner, and at the same time as ordinary taxes in the said city, but the city treasurer may commute and accept payment down of the amounts.

**2.—(1)** By-law No. 33 of The Corporation of the Municipality of Neebing passed on the 21st day of July, 1884, as set forth in registered deed No. 597, which is set out in the Schedule hereto and described in subsection 1 of section 3, is hereby validated and made legal and effective for all purposes as and from the date of the passing thereof.

Effect of  
by-law

(2) It is hereby declared that the said By-law No. 33 validly stopped up and closed all highways, streets, parts of streets, the chain reserve, and all road allowances, including Edward Street and Water Street, as shown on the Town Plot of Fort William of record in the Department of Lands and Forests, purported to be stopped up and closed by the said by-law, as of the 21st day of July, 1884.

Idem

(3) It is further declared that all those portions of Water Street as shown on the said Town Plot, and the highway, the allowance for road and the chain reserve along the northerly bank of the Kaministikwia River, reserved in the original survey or shown on the said Town Plot, lying within the following limits:

Commencing at the centre line of Edward Street as shown on the said Town Plot, produced southerly to the original shore line of the northerly bank of the Kaministikwia River and extending easterly to a line drawn parallel to and 30 feet distant at right angles westerly from the production southerly of the westerly limit of Ford Street as shown on the said Town Plot to the said original shore line, and commencing at a line drawn parallel to and 30 feet distant at right angles easterly from the production southerly of the easterly limit of Ford Street to the said original shore line and extending to the Government Reserve for light house, excepting thereout so much thereof as was then crossed by the extension of streets running toward the river and not by the said By-law No. 33 stopped up and closed, and also excepting thereout that portion thereof known as Front Street in the McKellar property not previously granted for railway purposes,

were in fact legally and validly stopped up and closed by the said By-law No. 33 as of the 21st day of July, 1884.

Deed  
No. 597  
validated

**3.—**(1) The deed dated the 2nd day of November, 1887, made by The Corporation of the Municipality of Neebing, as the Party of the First Part, to the Canadian Pacific Railway Company, as the Party of the Second Part, and registered in the Registry Office for the District of Thunder Bay, now Fort William, on the 24th day of March, 1890, in Book No. 2 for the Town Plot of Fort William as No. 597, in Book No. 2 for the Township of Neebing as No. 458, and in Book No. 2 for the Township of Neebing Additional as No. 292, is hereby validated and made legal and effective for all purposes as and from the 2nd day of November, 1887.

Effect  
of deed

(2) It is hereby declared that the said deed No. 597 granted, conveyed and transferred to and vested in the Canadian Pacific Railway Company as and from the 2nd day of November, 1887, not only all highways, streets, parts of streets, the chain reserve, and all road allowances and pieces of land enumerated, mentioned and described in the said By-law No. 33 and intended therein and in the said deed to be conveyed and transferred to the Canadian Pacific Railway Com-

pany,

pany, but also those portions of Edward Street and Water Street as shown on the said Town Plot of Fort William, and the highway, the allowance for road and the chain reserve along the northerly bank of the Kaministikwia River, reserved in the original survey or shown on the said Town Plot, lying within the following limits:

Commencing at the centre line of Edward Street as shown on the said Town Plot, produced southerly to the original shore line of the northerly bank of the Kaministikwia River and extending easterly to a line drawn parallel to and 30 feet distant at right angles westerly from the production southerly of the westerly limit of Ford Street as shown on the said Town Plot to the said original shore line, and commencing at a line drawn parallel to and 30 feet distant at right angles easterly from the production southerly of the easterly limit of Ford Street to the said original shore line and extending to the Government Reserve for light house, excepting thereout so much thereof as was then crossed by the extension of streets running toward the river and not by the said By-law No. 33 stopped up and closed, and also excepting thereout that portion thereof known as Front Street in the McKellar property not previously granted for railway purposes.

4. The said By-law No. 33 shall be considered, deemed and treated for all purposes as having been validly, legally and properly registered in the Registry Office for the District of Thunder Bay, now Fort William, on the 24th day of March, 1890, as a part of and at the same time as the said deed No. 597. Registration of by-law validated

5. That portion of Francis Street as shown on the said Town Plot of Fort William lying east of Hector Street, now Syndicate Avenue, is hereby stopped up and closed as a public street or highway and is hereby vested in the Canadian Pacific Railway Company, subject to the right from time to time in perpetuity for The Corporation of the City of Fort William to maintain, repair, substitute, enlarge and operate its sewers and watermains now situate thereon, as well as any other utilities of the said City now thereon. Part of Francis St. closed

6.—(1) The deed dated the 8th day of August, 1906, made by the Canadian Pacific Railway Company to The Corporation of the Town of Fort William, and registered in the Registry Office for the District of Thunder Bay and since transferred to Fort William, in Book No. 15 for Fort William, as No. 7726 for Fort William, is hereby validated and made legal and effective for all purposes as of the 8th day of August, 1906. Deed No. 7726 validated

(2) It is hereby declared that all the lands set out and described in the said deed and purported to be granted and conveyed to The Corporation of the Town of Fort William were in fact legally granted to and vested in The Corporation of the Town of Fort William as of the 8th day of August, 1906. Effect of deed

Deed  
No. 7727  
validated

7.—(1) The deed dated the 29th day of November, 1906, made by The Corporation of the Town of Fort William to The Consolidated Elevator Company Limited, registered in the Registry Office for the District of Thunder Bay and since transferred to Fort William, in Book No. 15 for Fort William, as No. 7727 for Fort William, is hereby validated and made legal and effective for all purposes as of the 29th day of November, 1906.

Effect  
of deed

(2) It is hereby declared that all the lands set out and described in the said deed and purported to be granted and conveyed to The Consolidated Elevator Company Limited were in fact legally granted to and vested in The Consolidated Elevator Company Limited as of the 29th day of November, 1906.

By-law  
No. 394  
(Fort  
William)  
validated

8.—(1) By-law No. 394 of The Corporation of the Town of Fort William passed on the 19th day of December, 1905, and registered in the Registry Office for the District of Thunder Bay in Book No. 13 for Fort William on the 20th day of March, 1906, as No. 6432 for Fort William, is hereby validated and made legal and effective for all purposes as and from the date of the passing thereof.

Effect  
of by-law

(2) It is hereby declared that the said By-law No. 394 validly stopped up and closed as public streets or highways those portions of Pacific Street, Ford Street and Brown Street in the Town (now City) of Fort William as shown on the said Town Plot of Fort William and purporting to be thereby stopped up and closed, and, without being limited by the foregoing, the said By-law No. 394 also validly and legally stopped up and closed all that portion of Ford Street as shown on the said Town Plot lying to the south of a line drawn across Ford Street parallel to and distant 45 feet measured northerly at right angles from the centre line of the Canadian Pacific Railway Company's main line or tracks crossing the said street.

Effect  
of deed  
No. 7742

(3) It is further declared that all the above-described portions of Pacific Street, Ford Street and Brown Street shown on the said Town Plot were legally and validly granted to and vested in the Canadian Pacific Railway Company by deed dated the 30th day of July, 1906, made by The Corporation of the Town of Fort William to the Canadian Pacific Railway Company, the said deed being registered in the Registry Office for the District of Thunder Bay in Book No. 15 for Fort William as No. 7742 for Fort William.

By-law  
No. 435  
(Fort  
William)  
validated

9.—(1) By-law No. 435 of The Corporation of the Town of Fort William passed on the 18th day of December, 1906,

and



and registered in the Registry Office for the District of Thunder Bay in Book No. 617 as No. 8418 for Fort William, is hereby validated and made legal and effective for all purposes as and from the date of the passing thereof.

(2) It is hereby declared that the said By-law No. 435<sup>Effect of by-law</sup> legally and validly stopped up and closed not only all that portion of the road allowance, highway and chain reserve or street on the north side of the Kaministikwia River along the edge thereof and called Water Street, as shown on the said Town Plot of Fort William, extending from a line drawn parallel to and 30 feet distant at right angles westerly from the production southerly to the original shore line of the northerly bank of the Kaministikwia River of the west limit of Ford Street to a line drawn parallel to and 30 feet distant at right angles easterly from the production southerly to the said original shore line of the east limit of Ford Street, but also those portions of Water Street, the allowance for road and the chain reserve along the northerly bank of the Kaministikwia River, reserved in the original survey or shown on the said Town Plot, lying between the easterly and westerly limits of the lands above described.

**10.** The deed dated the 1st day of March, 1907, made by The Corporation of the Town of Fort William to the Canadian Pacific Railway Company, and registered in the Registry Office for the District of Thunder Bay and since transferred to Fort William, in Book No. 1 for Fort William West, as No. 32W, legally and validly granted to and vested in the Canadian Pacific Railway Company not only all that portion of the road allowance, highway and chain reserve or street on the north side of the Kaministikwia River along the edge thereof and called Water Street, as shown on the said Town Plot of Fort William, extending from a line drawn parallel to and 30 feet distant at right angles westerly from the production southerly to the original shore line of the northerly bank of the Kaministikwia River of the west limit of Ford Street to a line drawn parallel to and 30 feet distant at right angles easterly from the production southerly to the said original shore line of the east limit of Ford Street, but also all those portions of Water Street, the allowance for road and the chain reserve along the northerly bank of the Kaministikwia River, reserved in the said original survey or shown on the said Town Plot, lying between the easterly and westerly limits of the lands above described.<sup>Effect of deed No. 32W</sup>

**11.**—(1) By-law No. 1321 of The Corporation of the City of Fort William passed on the 27th day of May, 1913, and registered in the Registry Office for the District of Thunder Bay, now Fort William, as No. 815C for Fort William "C",<sup>By-law No. 1321 (Fort William) validated</sup>

is hereby validated and made legal and effective for all purposes as and from the date of the passing thereof.

Effect  
of by-law

(2) It is hereby declared that the said By-law No. 1321 validly and legally stopped up and closed not only those portions of Edward Street as shown on the said Town Plot of Fort William, purporting to be thereby stopped up and closed, but also any portion of Water Street, as shown on the said Town Plot, included within the limits of the lands set out and described in the said By-law No. 1321, from the date of the passing thereof.

Effect  
of deed  
No. 933C

**12.** The deed dated the 8th day of July, 1913, made by The Corporation of the City of Fort William to Western Terminal Elevator Company Limited, registered in the Registry Office for the District of Thunder Bay, now Fort William, as No. 933C for Fort William "C", validly and legally granted to and vested in Western Terminal Elevator Company Limited not only those portions of Edward Street therein set out and described and intended therein to be conveyed and transferred, but also any portion of Water Street, as shown on the said Town Plot, included in the description of the lands set out and described in the said deed.

By-law  
No. 391  
(Fort  
William)  
validated

**13.—**(1) By-law No. 391 of The Corporation of the Town of Fort William passed on the 31st day of October, 1905, and registered in the Registry Office for the District of Thunder Bay, now Fort William, as No. 5924 for Fort William, is hereby validated and made legal and effective for all purposes as and from the date of the passing thereof.

Effect  
of by-law

(2) It is hereby declared that the said By-law No. 391 validly stopped up and closed not only all that portion of Water Street as shown on a plan of the Oliver and Davidson Addition to the Town Site of Fort William, registered in the Registry Office for the District of Fort William as No. 61, but also all those portions of the allowance for road and the chain reserve along the northerly bank of the Kaministikwia River, reserved in the original survey or shown on the said Plan 61, lying between the easterly and westerly limits of Lot 6, Concession 1, in the Town (now City) of Fort William (formerly in the Township of Neebing), produced southerly to the original shore line of the northerly bank of the Kaministikwia River, as and from the date of the passing thereof.

Effect  
of deed  
No. 5901

**14.** The deed dated the 7th day of November, 1905, made by The Corporation of the Town of Fort William to The Grand Trunk Pacific Railway Company, and registered in the Registry Office for the District of Fort William as No. 5901, legally and validly granted to and vested in The Grand



Trunk Pacific Railway Company not only the lands therein set out and described and intended therein to be conveyed and transferred, but also all those portions of Water Street as shown on the said Plan 61, and of the allowance for road and the chain reserve along the northerly bank of the Kaministikwia River, reserved in the original survey or shown on the said Plan 61, lying between the easterly and westerly limits of Lot 6, Concession 1, in the Town (now City) of Fort William (formerly in the Township of Neebing), produced southerly to the original shore line of the northerly bank of the Kaministikwia River.

**15.**—(1) By-law No. 3807 of The Corporation of the City of Fort William passed on the 25th day of November, 1941, and registered in the Registry Office for the District of Fort William as No. 8868C for Fort William "C", is hereby validated and made legal and effective for all purposes as and from the date of the passing thereof.

(2) It is hereby declared that the said By-law No. 3807 validly stopped up and closed from the date of the passing thereof not only those portions of Edward Street and of Water Street as shown on the said Town Plot of Fort William, and that portion of the lane along the northerly limit of Block "Y" as shown on the said Plan 61, purporting to be thereby stopped up and closed, but also those portions of the allowance for road and the chain reserve along the northerly bank of the Kaministikwia River, reserved in the original survey or shown on the said Town Plot, included in the description of the lands set out and described in the said by-law.

**16.** The deed dated the 28th day of May, 1942, made by The Corporation of the City of Fort William to Western Grain Company Limited, and registered in the Registry Office for the District of Fort William as No. 8889C for Fort William "C", legally and validly granted to and vested in Western Grain Company Limited not only those portions of Edward Street and of Water Street as shown on the said Town Plot of Fort William, and that portion of the lane along the northerly limit of Block "Y" as shown on the said Plan 61 therein set out and described and intended therein to be conveyed and transferred, but also those portions of the allowance for road and the chain reserve along the northerly bank of the Kaministikwia River, reserved in the original survey or shown on the said Town Plot, included in the description of the lands set out and described in the said deed.

**17.**—(1) By-law No. 4289 of The Corporation of the City of Fort William passed on the 14th day of February, 1950, and registered in the Registry Office for the District of Fort

William as No. 12659C for Fort William "C", is hereby validated and made legal and effective for all purposes as and from the date of the passing thereof.

Effect  
of by-law

(2) It is hereby declared that the said By-law No. 4289 from the date of the passing thereof validly stopped up and closed not only those streets and the portion of the said lane lying north of Block "Y" as shown on the said Plan 61 purporting to be thereby stopped up and closed, but also those portions of the allowance for road and the chain reserve along the northerly bank of the Kaministikwia River, reserved in the original survey or shown on the said Plan 61, included in the description of the lands set out and described in the said by-law.

Effect  
of deed  
No. 12712C

**18.** The deed dated the 30th day of June, 1950, made by The Corporation of the City of Fort William to Western Grain Company Limited, and registered in the Registry Office for the District of Fort William as No. 12712C for Fort William "C", legally and validly granted to and vested in Western Grain Company Limited not only the lands therein set out and described and intended therein to be conveyed and transferred but also those portions of the allowance for road and the chain reserve along the northerly bank of the Kaministikwia River, reserved in the original survey or shown on the said Plan 61, included in the description of the lands set out and described in the said deed.

South limit  
of C.P.R.  
Reserve

**19.** The southerly limit of the Canadian Pacific Railway Reserve between Edward Street and Brown Street as shown on a plan, registered in the Registry Office for the District of Fort William as No. 92, is hereby declared to coincide with the northerly limit of the lane north of Block "Y" as shown on the said Plan 61.

Commence-  
ment

**20.** This Act comes into force on the day it receives Royal Assent.

Short title

**21.** This Act may be cited as *The City of Fort William Act, 1952*.

## SCHEDULE

THIS INDENTURE made (in triplicate) the 2nd day of November, 1887.

IN PURSUANCE OF THE ACT respecting Short Forms of Conveyances.

BETWEEN:

THE CORPORATION OF THE MUNICIPALITY OF NEEBING  
in the District of Thunder Bay,

PARTIES OF THE FIRST PART,

—and—

THE CANADIAN PACIFIC RAILWAY COMPANY,

PARTIES OF THE SECOND PART.

WHEREAS the parties of the First Part did on the twenty-first day of July, A.D. 1884, pass a certain By-law numbered 33 in the words following:

## BY-LAW No. 33

By-law to stop up certain road allowances, highways and streets in the Municipality of Neebing and to sell the same or such parts thereof as adjoin the lands of the Company to the Canadian Pacific Railway Company and also for establishing, opening up and diverting certain highways and streets in lieu of those stopped up.

WHEREAS the Canadian Pacific Railway Company propose to extend the Railway line from the Town Plot of Fort William along the Kaministiquia River to a point in the vicinity of the old Fort on condition that certain highways and streets lying over, along and across the proposed railway line and certain others that will interfere with such extension be stopped up and that certain parts thereof which adjoin the Company's lands be sold to the Company.

AND WHEREAS the Company propose to build docks and other works in said river, which will be beneficial to the Municipality and it is manifestly in the interest of the Municipality and of the owners of property to accept the said proposition.

AND WHEREAS printed notices of the intention of this Council to pass this by-law have been posted up for more than one calendar month previous to the passing thereof in six and more of the most public places in the immediate neighborhood of the highways and streets or portions of the same intended to be stopped up and such notice has also been published weekly for at least four successive weeks before the passing of this by-law in the Weekly Herald published at the Town of Port Arthur and no one has petitioned to be heard against said by-law.

THEREFORE the Council of the Corporation of the Municipality of Neebing enacts as follows:

*First:* The highways, streets and parts of streets hereinafter enumerated and described are hereby declared to be stopped up and closed and the same shall from and after the passing of this by-law cease to be common and public highways and streets, namely:

1. The road allowance highway and chain reserve on the north side of the Kaministiquia River running along the edge thereof and called Water Street, commencing at the centre of Edward Street in the Town Plot of Fort William and extending easterly to within thirty feet of the westerly limit of Ford Street, then commencing at a point thirty feet distant from the easterly limit of said Ford Street to the Government

reserve

reserve for Light House—reserving thereout so much thereof as may be crossed by the extension of streets running towards the river and not hereby stopped up and also that part thereof known as Front Street in the McKellar property not heretofore granted for Railway purposes.

2. St. Paul Street from Yonge Street to the Government reserve.
3. Edward Street from a point one chain distant South from Gore Street to the Kaministiquia River.
4. Gore Street from Ford Street to Water Street.
5. Frederica Street from between lots numbers twelve and thirteen to Hector Street.
6. Amelia Street from between lots nine and ten to Hector Street.
7. Spragge Street from Frederica Street to Water Street.
8. Tarborte Street from Frederica Street to Water Street.
9. Rebecca Street from Hector Street to Vicars Street or the street known as the town line between Neebing and McKellars Wards and from Frances to Victor Street on the easterly limit of Hector Street thirty-three feet.
10. Hector Street from Francis Street to Water Street.
11. Chief Street through its entire length.
12. Vicars Street known also as the town line between Neebing and McKellars Street from centre of McKellar's Street to Water Street.
13. The Southerly side of McKellar Street beginning at the Westerly end with a width of thirty-three feet and running diagonally to the easterly end to a point fifty feet from the centre of the line as located.
14. The street marked as the second concession on a plan from the northerly boundary of the Hudson's Bay Company's reserve to the Kaministiquia River.
15. The allowance for road or street extending from Prince Arthur's Landing road to within one chain of lot number seven in concession "H" marked cross road on plan.
16. That angular piece of land within the following limits three hundred and eighty feet more or less from the intersection east side of Ford Street and               feet more or less in a northerly direction from intersection of east side of Ford Street with south side of Gore Street reserving always the right to drainage through above lands at such points as will not be injurious or inconvenient to works of said company.

*Second:* That in consideration of the extension of the said Railway line and of the Docks and other improvements proposed to be built by the Company and of certain lands being granted for highway sixty-six feet wide in a line from Hector Street to Main Street and through the lands of the Hudson Bay Company's property required for highway sixty-six feet wide.

AND in further consideration that the Company will convey to the Municipality their interest in the roadway of the present line of Railway to Prince Arthur's landing so far as the same extends through the Municipality of Neebing so soon as they shall have ceased to use the same and also in further consideration that the Company will build a good and sufficient road within months' after the passing of this By-law of not less than thirty feet wide and properly ditched, grubbed and graded across the lands from McVicar's property at a point where the new road to be built by the Municipality through the McVicar property will terminate to the present travelled road to Prince Arthur's landing and not less than two hundred and fifty feet from the line of the Company's Railway.



AND also in consideration of the sum of four thousand dollars paid to the Treasurer of the Municipality all those parts of the said highways, streets and road allowances which adjoin the lands of the Company shall be sold to the Company and the Reeve for the time being shall execute under the Corporate Seal of the said Municipality the necessary and proper conveyance vesting the same in the said Company.

*Third:* That highways and streets of the width of sixty-six feet be established and opened in lieu of those stopped up as follows:

1. The west half of Edward Street from the southerly boundary of the Canadian Pacific Railway Company's lands to Water Street being about forty feet in length.

2. Ford Street from Gore Street to the river saving always the rights of the Company in the docks and works now existing or hereafter to be constructed.

3. A street at some convenient point opposite the Mission Church within three hundred feet either way therefrom.

4. The road from the old Fort to Port Arthur with the privilege of the Company to move the same three hundred feet either up or down.

Given under the hands of the Reeve and the Clerk and the Seal of the Corporation of the Municipality of Neebing this twenty-first day of July, A.D. 1884.

(Sgd.) M. Hayles, *Clerk.*

(Sgd.) C. N. BLACK, *Reeve.*

NOW THEREFORE in pursuance of the said By-law and in consideration of the moneys and other benefits conferred upon the said Municipality by the parties of the second part the said parties of the first part do grant bargain and sell unto the parties of the second part their successors and assigns the streets, road allowances and pieces of land in said by-law described and intended therein to be conveyed and transferred to the parties of the second part.

TO HAVE AND TO HOLD the same unto the parties of the second part their successors and assigns.

IN WITNESS WHEREOF the said parties of the first part have executed this Deed by Sidney Smith the Reeve and Jno. R. Brown the Clerk of the said Municipality attaching the Corporate Seal hereto and signing their names.

SIGNED, SEALED AND DELIVERED

In presence of

(Sgd.) SHERMAN STEVENS

(Seal)

(Sgd.) SIDNEY SMITH, *Reeve.*

(Sgd.) JNO. R. BROWN, *Clerk.*

(Seal)





## CHAPTER 121

# An Act respecting The Grand Lodge of Ontario of the Independent Order of Odd Fellows

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS The Grand Lodge of Ontario of the Independent Order of Odd Fellows, hereinafter called the Grand Lodge, by its petition has represented that by *The Grand Lodge of Ontario of the Independent Order of Odd Fellows Act, 1929* certain rights, powers and privileges of the Grand Lodge were defined and the Grand Lodge was declared to be a mutual benefit society; and that as such the Grand Lodge would be entitled to hold real property for the maintenance of its head office; and that for many years the Grand Lodge has maintained its head office at 229 College Street, in the City of Toronto, in the building owned by The I.O.O.F. Hall Association of Toronto Limited, a company incorporated under *The Companies Act* with a capitalization of 5,000 shares of \$20 each; and that by reason of its long tenancy in the said building and of the further fact that continued occupation could be assured through the acquisition of the capital stock of The I.O.O.F. Hall Association of Toronto Limited at much less cost than the purchase of land and the erection of a new building; and that through bequests and otherwise the Grand Lodge has already become possessed of a quantity of the capital stock of The I.O.O.F. Hall Association of Toronto Limited; and whereas the Grand Lodge has prayed that an Act be passed to authorize the Grand Lodge to hold the shares already acquired and to acquire additional shares of The I.O.O.F. Hall Association of Toronto Limited; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding the provisions of *The Insurance Act*, *The Companies Act* or any other general Act in conflict herewith, The Grand Lodge of Ontario of the Independent Order of Odd Fellows may continue to hold the shares of the capital stock of The I.O.O.F. Hall Association of Toronto Limited now held and may use its funds set aside for the general

Holding and purchase of certain shares

Rev. Stat.,  
cc. 183, 59

purposes of the Grand Lodge and not impressed with any specific trusts to acquire additional shares of the capital stock of The I.O.O.F. Hall Association of Toronto Limited.

Commence-  
ment

**2.** This Act comes into force on the day it receives Royal Assent.

Short title

**3.** This Act may be cited as *The Grand Lodge of Ontario, I.O.O.F., Act, 1952.*

## CHAPTER 122

# An Act respecting J. L. Thompson Supply Limited

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS J. L. Thompson Supply Limited, a company Preamble incorporated in 1948 under *The Companies Act*, by Rev. Stat., its petition has represented that a part of the property occupied c. 59 by the Company and its predecessors in title for not less than fifty years past, appears upon Plan 257 for the Town of Wallaceburg, as part of "The Old Cemetery", and has prayed for special legislation to vest the same in the Company in fee simple; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The lands composed of that part of "The Old Cemetery" as shown on Plan 257 of a part of the Town of Wallaceburg, which lies to the west of Water Street in the Town, more particularly described as: Land vested  
in Company

Commencing at the south-east angle of Lot 96, Plan 257 for the Town of Wallaceburg; Thence east along the north limit of Park Street to the west limit of Water Street, as established by By-law No. 1742 of the Town of Wallaceburg; Thence northerly and along the said west limit of Water Street, 132 feet; Thence easterly and parallel to Park Street to a point in the east limit of Lot 94, Plan 257; Thence southerly and along the east limits of Lots 94, 95 and 96, Plan 257, 132 feet to the place of beginning,

is hereby vested in J. L. Thompson Supply Limited in fee simple.

**2.** This Act comes into force on the day it receives Royal Assent. Commence-  
ment

**3.** This Act may be cited as *The J. L. Thompson Supply Limited Act, 1952*. Short title



## CHAPTER 123

**An Act respecting the City of Kingston**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the City of Kingston Preamble  
by its petition has prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. Order P.F. C-4238 dated the 1st day of November, Annexation  
orders  
confirmed  
1951, and Order P.F. C-4238 dated the 20th day of December,  
1951, of the Ontario Municipal Board, set forth as Schedules  
A and B hereto respectively, are hereby confirmed.

2. In addition to the powers contained in subsections 2 Sewer rental  
Rev. Stat.,  
c. 243  
and 5 of section 389 of *The Municipal Act*, the council of The  
Corporation of the City of Kingston may by by-law provide  
for imposing upon the owners or occupants of land a surcharge  
on water rates, to be known as a "sewer rental", for payment  
of any part of the capital cost of any treatment works or work  
as defined in clauses *i* and *j* of subsection 1 of section 389  
of *The Municipal Act* which may be constructed from time to  
time, and if any of the revenue therefrom is not required for  
this purpose may provide for applying and using such revenue  
for future capital expenditures on such treatment works or  
work.

3. Subject to the approval of the Ontario Municipal Board, Removal  
of con-  
demned  
buildings,  
etc.  
the council of The Corporation of the City of Kingston may  
pass by-laws ordering the removal of any building which upon  
the recommendation of the medical officer of health of The  
Corporation of the City of Kingston has been condemned  
pursuant to section 97 of *The Public Health Act*, as unfit for  
human habitation or dangerous to health, unless alterations  
to make such a building fit for human habitation and safe for  
health can be made in the opinion of the medical officer of  
health, the building inspector and the fire inspector of The  
Corporation of the City of Kingston and have been so made  
within six months of notice of such condemnation. Rev. Stat.,  
c. 306

Sewer  
connections

4. The council of The Corporation of the City of Kingston may pass by-laws requiring any owner of a house on land which abuts on a street where there is a sewer to have all plumbing and drainage fixtures, except storm drains, of such houses connected with such sewer within two years after the sewer is constructed.

Commence-  
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The City of Kingston Act, 1952*.



## SCHEDULE A

P.F. C-4238

## THE ONTARIO MUNICIPAL BOARD

Thursday, the First day of November, A.D. 1951.

BEFORE

R. C. ROWLAND,  
Vice-Chairman

—and—

C. D. WIGHT,  
Member.IN THE MATTER OF Section 20 of  
"The Municipal Act" (R.S.O.  
1950, C.243) andIN THE MATTER OF an application  
by the Corporation of the City of  
Kingston for annexation thereto  
of (a) the Village of Portsmouth  
(b) Portions of the Township of  
Kingston, (c) Butterill Farm, as  
set out in Schedule "A" annexed  
hereto.

UPON THE APPLICATION of The Corporation of the City of Kingston in the presence of Counsel for The Corporation of the Village of Portsmouth, The Corporation of the County of Frontenac, The Corporation of the Township of Kingston, The Board of School Trustees of School Area No. 2 of the Township of Kingston, the Aluminum Company of Canada Limited, and the Point Pleasant Property Owners Association and of certain property owners and residents in the Township of Kingston who appeared in person, upon hearing read by-laws Nos. 826, 827 and 828 of the City of Kingston filed with this Board authorizing this application, and upon hearing the evidence adduced at a public hearing held at the City of Kingston on the 12th, 13th and 14th days of December, A.D. 1950, and the 8th, 9th and 10th days of January, A.D. 1951, pursuant to notice given in accordance with the directions of this Board, and upon hearing what was alleged by the Counsel aforesaid and by the aforesaid owners and residents, and this Board having been pleased to direct that this application stand over for order and the same coming on this day for order.

1. THE BOARD ORDERS under and pursuant to Section 20 of *The Municipal Act*, R.S.O. 1950, C. 243, that the whole of the Village of Portsmouth and that part of the Township of Kingston described in Schedule "A" hereto be and the same are hereby annexed to the City of Kingston, the present boundaries of which are more particularly described in Schedule "B" hereto; provided, however, that the Township of Kingston may, from time to time, in respect of access for surface drainage purposes to the western boundary of the Little Cataraqui River, exercise such rights for surface drainage and for expropriation, if necessary, to effectually carry out or exercise same, as are authorized by *The Public Health Act*, R.S.O. 1950, Chapter 306, and *The Municipal Act*, R.S.O. 1950, Chapter 243.

2. AND THE BOARD FURTHER ORDERS that subject to Section 20, s.s. 15 and 16 of *The Municipal Act*, R.S.O. 1950, Chapter 243, the annexation shall come into force and take effect 12:00 o'clock midnight on the 31st day of December, 1951, and that until such time the Township of Kingston and the Village of Portsmouth shall be responsible for municipal services in their respective areas.

## 3. AND THE BOARD FURTHER ORDERS:

(a) That all lands in the districts described in Schedule "A" belonging to The Corporation of the Township of Kingston and the Village of Portsmouth as of the date of this Order or subsequently acquired up to 1 January, 1952, and any property sold for taxes by the County of Frontenac to

the

the Township of Kingston within the district of the Township of Kingston described in Schedule "A" tax deeds for which have not been delivered to the Township, shall belong to and be vested in The Corporation of the City of Kingston, and in the case of the tax deeds, the County of Frontenac shall deliver such tax deeds to the City of Kingston.

(b) That the interest of the districts of the Township of Kingston described in Schedule "A" in the following assets of the Township shall be determined as that proportion of the total of such assets of the Township as the assessment of said districts made in 1950, rateable for general purposes in 1951, bears to the total assessment of the Township made in 1950 rateable for general purposes in 1951:

Cash and bank balances less the amount of debentures due but unpaid and debenture coupons due but unpaid at December 31, 1951, as provided in Clause 3(g);

Accounts receivable;

Amounts due from the Province of Ontario;

Amounts due from the Government of Canada;

Taxes receivable;

Equipment;

Supplies.

(c) That the following liabilities shall be apportioned to the districts of the Township of Kingston described in Schedule "A" in the proportion of the assessment of said districts made in 1950, rateable for general purposes in 1951, to the total assessment of the Township made in 1950 rateable for general purposes in 1951:

Trade accounts payable for general purposes;

Amounts due to other municipalities.

(d) That the excess of the interest of the said districts of the Township of Kingston as described in Schedule "A" in assets as determined in (b) above over the proportion of the liabilities of said districts as determined in (c) above shall be paid by the Corporation of the Township of Kingston to the Corporation of the City of Kingston on or before the 31st day of December, 1952.

(e) That all debenture debt incurred in respect of schools built in and in respect of local improvements made in the districts of the Township of Kingston described in Schedule "A" shall after December 31st, 1951, be paid by the City of Kingston as the principal and interest of the debentures become due, and the Corporation of the City of Kingston shall indemnify the Corporation of the Township of Kingston against the same.

(f) That the respective budgets of the Township of Kingston and the Village of Portsmouth for the year 1951, exclusive of expenditures for school purposes, shall be submitted for approval to the Board on or before the fifteenth day of July, 1951, and any excess of expenditure made during the year 1951 over the amount approved by the Board in the said budgets shall:

- (i) As to the Township of Kingston be borne by the remainder of the Township which is not annexed to the City of Kingston; and
- (ii) As to the Village of Portsmouth shall be borne by the ratepayers of the area presently comprising the Village of Portsmouth by a special tax levy on them by the City of Kingston for the year 1952.

(g)

(g) That the Corporation of the Township of Kingston shall be liable and responsible for payment of its debentures due but unpaid and debenture coupons due but unpaid as of December 31st, 1951, and such debts shall be paid out of the funds of the Township of Kingston, as provided for in Clause 3(b) above.

(h) All of the property and assets and rights of The Corporation of the Village of Portsmouth shall be vested in The Corporation of the City of Kingston as of midnight, the 31st day of December, 1951, and thereafter The Corporation of the City of Kingston shall be liable to the creditors of the former Corporation of the Village of Portsmouth for its debts and obligations, and The Corporation of the City of Kingston shall have the same rights and powers with respect to the collection and recovery of all unpaid taxes imposed by the Council of the former municipality of the Village of Portsmouth, including those for the year 1951 and prior years, as if such taxes had been imposed by the Council of the City of Kingston to which the Village of Portsmouth on the said date becomes annexed; and The Corporation of the City of Kingston shall have the right to collect any further claims against third parties in the said manner and with all the powers which The Corporation of the Village of Portsmouth had or would have had if this Order for Annexation had not been made; and after 31 December, 1951, The Corporation of the Village of Portsmouth shall cease to exist.

(i) That the assets and liabilities of the Water Area of the Township of Kingston, established by By-law No. 511, shall not be taken into account in the division of the assets and liabilities, but shall be transferred to the Corporation of the City of Kingston and the City of Kingston shall have the right to levy for any deficit for the Water Area against the owners of property in the Water Area.

#### 4. AND THE BOARD FURTHER ORDERS:

(a) That the taxes, including business taxes, assessments, rents, school and other rates in respect of the said districts described in Schedule "A" to be levied by the City of Kingston shall, after the 31st day of December, 1951, be payable at the same time and in the same manner as taxes, including business taxes, assessments, rents, school and other rates levied and raised from time to time on the lands within the former boundaries of the City of Kingston as they existed on 1st January, 1950, and the assessment of lands of the said districts described in Schedule "A" made after 31st December, 1951, shall be on the same basis and made at the same time and in the same manner as lands within the former boundaries of the City of Kingston.

(b) Notwithstanding any provisions to the contrary in *The Assessment Act* and that the effective date of the annexation of the said districts is December 31, 1951, it shall be the duty of the assessor of the City of Kingston, and he shall have all of the powers of an assessor under *The Assessment Act*, to assess the land in the said districts in the year 1951 for tax purposes for the 1952, and such assessment shall be conducted in the same manner as the assessment made within the boundaries of the City of Kingston; and the time for the return of the Assessment roll in the said districts is hereby extended for ninety days after the 30th September, 1951; and all such assessments so made shall be subject to the same right of appeal as applies to assessments made within the boundaries of the City of Kingston, and appeals from such assessments so made shall be made to the Court of Revision of the City of Kingston, and such Court shall have authority to deal with them and the assessment rolls so made and confirmed shall constitute a part of the last revised assessment roll of the City of Kingston for all purposes, and such assessment when so made and finally revised, together with the assessment made within the boundaries of the City of Kingston, shall form the basis of the levy for taxes by the City of Kingston for the year 1952, and such taxes when so levied shall be payable to the City of Kingston; and that the Assessor of the Township of Kingston shall be relieved from making any assessment for the year 1951 of any property in the district described in Schedule "A" or making any assessment roll or rolls with respect thereto.



(c) That the Township of Kingston and the Village of Portsmouth shall each prepare and deliver on or before May 15, 1951, to the City of Kingston a copy of the assessment rolls made in 1950 for 1951 taxes in respect of the lands in the said districts; and the Township of Kingston and Village of Portsmouth shall at all reasonable times allow the City of Kingston, its servants and agents, access to the assessment rolls of the said districts and to all local improvement by-laws and local improvement assessment rolls and all plans, surveys, maps and books and records of the said districts. After the 31st day of December, 1951, The Corporation of the Township of Kingston and The Corporation of the Village of Portsmouth will hand over to The Corporation of the City of Kingston all local improvement by-laws, local improvement assessment rolls, and all by-laws authorizing the issue of debentures, and all plans, surveys and maps in respect of the said districts; Provided, however, that the Township of Kingston shall be required to hand over originals only of the plans, surveys and maps of those areas which do not effect any other part of the Township than the parts described in Schedule "A" hereto, but in the case of those plans, surveys and maps which do effect other parts of the Township than those described in Schedule "A", hereto, the Township shall make and give to The Corporation of the City of Kingston, but at the latter's expense, true copies of same.

(d) Notwithstanding that the effective date of annexation is the 31st day of December, 1951, The Corporation of the Township of Kingston and The Corporation of the Village of Portsmouth shall during the year 1951, if requested to do so by The Corporation of the City of Kingston, enter into the agreements contemplated by and of the type referred to in Section 61 of *The Local Improvement Act*.

#### 5. AND THE BOARD FURTHER ORDERS:

(a) That all taxes imposed by The Corporation of the Township of Kingston in the districts described in Schedule "A" to December 31st, 1951, and all arrears of taxes owing upon lands in the said districts shall belong to and be collected by The Corporation of the Township of Kingston; and to effectively carry this out, The Corporation of the Township of Kingston shall retain all statutory powers for the collection and recovery of arrears of taxes without affecting the right of The Corporation of the City of Kingston to enforce all statutory powers in respect of taxes subsequently levied by it. The provisions of Section 38(2) of *The Municipal Act* shall apply to all arrears of taxes notwithstanding the date upon which such taxes became in arrears.

6. AND THE BOARD FURTHER ORDERS that the lands in the districts described in Schedule "A" which fall within the description of Section 35 of *The Assessment Act* as amended in the year 1951 held and used for the purposes therein described shall be dealt with by The Corporation of the City of Kingston as therein provided.

#### 7. AND THE BOARD FURTHER ORDERS:

(a) That the public schools and school sites in the districts described in Schedule "A" shall vest in the Board of Education for the City of Kingston, and all separate schools and school sites in the districts described in Schedule "A" shall vest in The Board of Trustees of the Roman Catholic Separate Schools for the City of Kingston, and the whole of the assets and liabilities of the Boards of Education in the Village of Portsmouth and School Area No. 1 of the Township of Kingston shall vest in the respective Boards of the City of Kingston, by whom the liabilities if any in respect thereof shall be assumed and paid; and no capital expenditures shall be made by the said Public School Boards in the said School Area No. 1 or in the Village of Portsmouth during the year 1951 without first obtaining the approval of the Board of Education for the City of Kingston and of The Corporation of the City of Kingston and the Ontario Municipal Board. The Corporation of the Township of Kingston and The Corporation of the Village of Portsmouth shall in 1951 levy sufficient taxes to pay the expenses of the said Public School Boards within the Township of Kingston and the Village of Portsmouth and in the event that they do not so and that there is a deficit in any of the operations of the said Boards, The Corporation of the City of Kingston may in 1952 make

a special levy on the taxpayers of the said district or districts described in Schedule "A" (or of the Village of Portsmouth, as the case may be) to recover the amount of the said deficit or deficits; and that the Boards of Education of the Village of Portsmouth and School Area No. 1 of the Township of Kingston and the Trustees of the Roman Catholic Separate Schools for the Village of Portsmouth shall, after 31 December, 1951, cease to exist.

(b) For a period of two years commencing on the 1st January, 1952, all children residing in that portion of School Area No. 1 of the Township of Kingston which is not annexed to the City of Kingston shall be entitled to attend the schools in that portion of School Area No. 1 of the Township of Kingston which is annexed to the City of Kingston, and for a further period of three years thereafter shall be entitled to attend such schools to the extent of the available facilities thereof as such facilities now exist or have been authorized; PROVIDED, however, that at any time and from time to time the Corporation of the City of Kingston, the Board of Education of the City of Kingston, the Corporation of the Township of Kingston, the Public School Board of the Township of Kingston or any of them may apply to the Board for a variation of this clause of this order in so far as it relates to the right to attend such schools in the said three year period commencing January 1st, 1954, and such right shall not be terminated prior to January 1st, 1957, without the prior approval of the Board. The Corporation of the Township of Kingston shall pay to the appropriate Boards of the City of Kingston, at the authorized non-resident rate, for the attendance of all such pupils attending such schools.

8. AND THE BOARD FURTHER ORDERS that The Corporation of the City of Kingston shall make local improvement assessments and levies under and by virtue of the local improvement by-laws of The Corporation of the Township of Kingston and of The Corporation of the Village of Portsmouth which are in force as of 31 December, 1951, in any of the said districts, with all the powers and rights as if The Corporation of the City of Kingston had originally enacted the said by-laws under *The Local Improvement Act*.

9. AND THE BOARD DOTH FURTHER ORDER that the County of Frontenac shall indemnify The Corporation of the City of Kingston with respect to any amount of the High School debenture debt of the County of Frontenac claimed against any ratepayer resident in the districts described in Schedule "A" hereto, and all of such ratepayers shall be relieved of paying the annual rates for the said High School debenture debt.

10. AND THE BOARD DOTH FURTHER ORDER that the administration of justice costs, and the costs of the upkeep and maintenance of the Court House, Registry Office and Jail be re-apportioned as between The Corporation of the County of Frontenac and The Corporation of the City of Kingston in a manner to be agreed upon and, failing agreement by the 30th June, 1952, that the matter be referred to the County Court Judge for arbitration under and by virtue of the provisions of *The Municipal Act*.

11. AND THE BOARD FURTHER ORDERS that The Corporation of the Township of Kingston shall indemnify and save harmless The Corporation of the City of Kingston, to the extent of twenty-five per cent thereof, from all losses, costs, charges and expenses arising from any act or omission of The Corporation of the Township of Kingston, its officials or servants, up to December 31, 1951.

12. AND THE BOARD FURTHER ORDERS that The Corporation of the Village of Portsmouth and The Corporation of the Township of Kingston convey to The Corporation of the City of Kingston any other lands or any other rights in the said districts described in Schedule "A" not hereinbefore particularly described, provided that each shall do all other acts and things necessary to effectively carry out the intent of this Order.

13. AND THE BOARD FURTHER ORDERS:

(a) That the districts described in Schedule "A" shall be included in the existing wards of the City of Kingston, which is hereby authorized

subject

subject to the approval of the Ontario Municipal Board to be obtained prior to 1 September, 1952, to lay out new boundaries for the various wards which shall be the ward boundaries for the municipal elections to be held in the City of Kingston in December, 1952.

(b) That the electors in the districts described in Schedule "A" shall not vote in the municipal elections and the elections for trustees of the School Board in the Township of Kingston in December, 1951, save as provided in the following paragraphs (c) and (d).

(c) That the electors in the Village of Portsmouth shall vote in the municipal elections to be held by the Village of Portsmouth, and elect one alderman who shall represent the district now comprising the Village of Portsmouth in the City Council until December 31, 1952, and that the electors in the district of the Township of Kingston described in Schedule "A" shall vote at the municipal elections to be held by the Township of Kingston, and shall elect two aldermen who shall sit in the Council of the City of Kingston representing their district until December 31, 1952, and the Council of the Corporation of the City of Kingston for the year 1952 only shall be enlarged accordingly; and that special voters' lists be prepared by The Corporation of the City of Kingston for the said elections, but the election shall be carried on by the City Clerk of the City of Kingston, provided however, that the qualifications of voters in the Village of Portsmouth shall be the same as those of voters for the Corporation of the City of Kingston, and that the Voters' List for the district of the Township of Kingston described in Schedule "A", be prepared from the last certified Voters' List of the Township of Kingston, in accordance with Section 102 of *The Municipal Act*.

(d) That the electors in the Village of Portsmouth entitled respectively to vote for public and separate school Trustees shall vote in the election for members of the said Boards of such Trustees to be held by the Village of Portsmouth and shall elect one Public and one Separate School Trustee who shall represent the district now comprising the Village of Portsmouth on the Board of Education of the City of Kingston and the Separate School Board of the City of Kingston until December 31, 1952; and that the electors in the district of the Township of Kingston described in Schedule "A" entitled respectively to vote for Public and Separate School Trustees shall vote at the election of such Trustees to be held in the Township of Kingston and shall elect one Public and one Separate School Trustee who shall represent the said district on the Board of Education of the City of Kingston and the Board of Trustees of the Roman Catholic Separate Schools of the City of Kingston until December 31, 1952; and that the Board of Trustees of the Roman Catholic Separate Schools for the City of Kingston and the Board of Education for the City of Kingston shall be enlarged accordingly for the year 1952 only, and that The Corporation of the City of Kingston shall prepare a special voters' list for the Village of Portsmouth and the said district of the Township of Kingston for the said elections, and the election shall be carried on at the same time as the election for aldermen, and shall be carried out in the manner provided under *The Boards of Education Act* and *The Separate Schools Act*, as the case may be, for Public and Separate School Trustees.

#### 14. AND THE BOARD FURTHER ORDERS:

(a) That By-law No. 511-1947, as amended, and all building, planning and zoning by-laws of the Township of Kingston and all building, planning and zoning by-laws of the Village of Portsmouth in force as of 31st December, 1951, in the said districts described in Schedule "A" shall remain in effect until altered, varied, changed or rescinded by the by-laws of The Corporation of the City of Kingston.

(b) That all by-laws of The Corporation of the City of Kingston in force as of December 31, 1951, shall from and after December 31, 1951, mutatis mutandis, apply and be in force in the districts described in Schedule "A".

(c) That notwithstanding subsections (a) and (b) of this section, neither the by-laws therein referred to nor any future by-laws of the City of Kingston shall prevent, interfere with, hinder or affect the operation by the Aluminum Company of Canada Limited, its successors or assigns, of any manufacturing processes of the type or character now carried



on in the said Township by the said Company or of a type or character similar, incidental or related thereto, upon any of the lands presently owned by it in the said district, consisting of approximately 310 acres, or upon any additional land in the said district, not exceeding in area 250 acres, contiguous or adjacent to the said 310 acres, which may be hereafter acquired by the said Company, its successors or assigns.

15. AND THE BOARD FURTHER ORDERS:

(a) The provisions of Section 66 (1) of *The Municipal Act* shall govern the time and place for nomination meetings and the days fixed for polling for the purposes of the elections referred to in paragraph 13 of this Order and, except as hereinbefore provided, the provisions of Section 102 of the said Act shall apply to the preparation and delivery of the voters' list for the said elections.

(b) The Corporation of the City of Kingston may, for the purpose of the said elections exercise the powers conferred upon a local municipality by Section 81 of *The Municipal Act* in respect of the Village of Portsmouth and that part of the Township of Kingston described in Schedule "A" hereto, and shall pass a by-law for such purpose on or after the 29th day of November 1951, and before the 15th day of December 1951.

(c) The City Clerk of the City of Kingston shall be the returning officer for the purpose of the said elections and, in addition to all other powers and duties imposed upon him in that capacity, he shall on or before the 15th day of December 1951, appoint in writing returning officers to hold the nominations, if required, and the deputy returning officers, poll clerks and election assistants required or deemed necessary for the conduct of the said elections.

16. AND THE BOARD FURTHER ORDERS:

(a) That no capital expenditures shall be made by The Corporation of the Township of Kingston or The Corporation of the Village of Portsmouth in respect to the said districts during the year 1951 unless the approval of The Corporation of the City of Kingston and the Board is first had and obtained, and if such approval is procured no contracts shall be let for any works involved in such capital expenditures until the approval of The Corporation of the City of Kingston thereto is first procured.

(b) That in the event that such capital expenditures are approved and contracts in respect thereof are let and such work is undertaken and is wholly or partially completed by the effective date of the annexation provided for in this Order, The Corporation of the City of Kingston shall be entitled to issue debentures in respect thereof in the same manner and to the same extent as if said works had been initially undertaken by The Corporation of the City of Kingston and as if the capital expenditures therein involved had been originally undertaken by The Corporation of the City of Kingston and the work involved in such capital expenditures had been undertaken by the Corporation of the City of Kingston.

17. AND THE BOARD FURTHER ORDERS that The Corporation of the City of Kingston shall, subject to the approval of the Board, be authorized to issue its debentures in order to pay for any liability or financial obligations which it assumes or for which it may become responsible as a result of this Order.

18. AND THE BOARD FURTHER ORDERS that any matter of financial liability not expressly dealt with in this Order shall not, by reason of such omission be deemed to have been waived by The Corporation of the City of Kingston or the Corporation of the County of Frontenac or the Corporation of the Township of Kingston or the Board of Education for the City of Kingston or the Board of Public School Trustees of Kingston Township Area No. 1, or the Board of Public School Trustees of the Village of Portsmouth or the Board of Separate School Trustees of the Village of Portsmouth, and this Order shall be deemed to cover matters hereinbefore specifically dealt with by this Order, and all other financial matters arising out of the annexation shall be adjusted from time to time

on a fair and equitable basis by and between the parties affected by this Order and, failing agreement, shall be determined by The Ontario Municipal Board.

19. AND THE BOARD hereby reserves all further order or directions within its power in respect of the annexation hereby ordered for further order or orders upon the application of any of the municipalities or local boards or any party affected by this Order.

(L.S.)

(Sgd.) L. R. CUMMING.

DESCRIPTION OF LANDS TO BE ANNEXED TO THE  
CITY OF KINGSTON 1951

*Schedule "A"*

NOTE: Schedule "A" to this Order contains a description of the lands to be annexed. This Schedule was repealed and a new Schedule substituted by Order P.F. C-4238 dated December 20th, 1951, which appears as Schedule B to this Act. Schedule "A" to this Order has therefore been omitted and the description of the lands to be annexed appears in Schedule B to this Act.

DESCRIPTION OF THE LIMITS OF THE PRESENT  
CITY OF KINGSTON

*Schedule "B"*

ALL AND SINGULAR that certain parcel or tract of land and water being the present City of Kingston, County of Frontenac and Province of Ontario; which said parcel or tract may be described in parts as follows:

PART ONE: COMMENCING at the point where the water's edge of Lake Ontario is intersected by the lot limit between Farm Lots 20 and 21 in the First Concession of the Township of Kingston formerly and now City of Kingston;

Thence northerly along said lot limit to the point where it intersects the southerly limit of Johnson Street;

Thence westerly along said southerly limit of street to the point where it intersects the westerly limit of the Palace Road;

Thence northerly along said westerly limit of road to the point of intersection of said limit with the southerly limit of Highway Number 33;

Thence easterly along said southerly limit of Highway to the point where this limit intersects the said lot limit between lots 20 and 21;

Thence northerly along this lot limit to the northwest corner of Lot 21;

Thence easterly in a direct line crossing Concession Street to the southeast angle of Lot 24 Concession Two Township of Kingston;

Thence northerly along the westerly limit of Division Street to the point where this limit is intersected by the westerly production of the limit between Lots 4 and 5 in the Concession West of the Great Cataraqui River;

Thence easterly to, along and on production easterly of said limit between lots 4 and 5 to the easterly water's edge of the Great Cataraqui River;

Thence southerly along said River's easterly edge to the extreme southwesterly point of Point Frederick in the Township of Pittsburg;

Thence

Thence southerly and parallel to the said lot limit between lots 20 and 21 a distance of 500 feet from the said southwest point of Point Frederick;

Thence westerly in a straight line to the point of Commencement.

And also as part of the Harbour of the City of Kingston, all the water lying southerly of the above described straight line from the described point 500 feet southerly of Point Frederick to the point of commencement, which may be 500 yards from the main shore of Wolfe Island.

The limits of the above described part one from the point of commencement to the easterly water's edge of the Great Cataraqui River are shown outlined in red on the plans accompanying schedule A made and signed by Campbell T. Smith O.L.S. dated Sept. 25, 1951. And the properties in Lot 5 West of the Great Cataraqui River owned by the Gould Storage Battery Limited and the Frontenac Floor and Wall Tile Co. Limited.

PART TWO: Being the land annexed to the City of Kingston by 20 George V Chap. 84 1930, and said land is particularly shown on Registered plan numbered 172 of registered date June 7th 1930 in the Registry Office of Kingston and Frontenac.

PARCEL THREE: Being the land annexed to the City of Kingston by Chapter 103 of the statutes of Ontario 1931 as given in Schedule B and more particularly described as follows:

ALL AND SINGULAR that parcel of land and land covered with water now situate in the Township of Kingston, in the County of Frontenac as follows:

COMMENCING at a point where the line of the easterly face of the dock of the Kingston Elevator Company produced intersects the southerly limit of Concession 1 of said Township, the said easterly face of dock being the easterly limit of the land annexed to the City of Kingston by *City of Kingston Act 1930*, thence south 19 degrees 30 minutes east along the line of the face of the said dock to a point where the said line produced southerly would intersect the extension of the westerly production of the harbour line of the said City; thence easterly along the said westerly production of the said harbour line to a point where the said harbour line intersects the production southerly of the line between lots numbers 16 and 17 in the First Concession of the said Township; thence northerly along the said line between the said lots 16 and 17 to the southerly limit of said first concession; thence westerly along the southerly limit of said first concession to the place of beginning.

## SCHEDULE B

P.F. C-4238

## THE ONTARIO MUNICIPAL BOARD

Thursday, the Twentieth day of December, A.D. 1951.

BEFORE

L. R. CUMMING, M.A.,  
Chairman,

—and—

R. C. ROWLAND,  
Member.IN THE MATTER OF Section 20 of  
"The Municipal Act" (R.S.O.  
1950, Chapter 243), andIN THE MATTER OF an application  
by the Corporation of the City  
of Kingston for an Order amend-  
ing an Order of the Board dated  
the 1st day of November, A.D.  
1951, providing for the annex-  
ation to the said City of the  
Village of Portsmouth and certain  
portions of the Township of  
Kingston, as set out in Schedule  
"A" annexed thereto.

UPON THE APPLICATION of the Corporation of the City of Kingston in the presence of counsel for the applicant, and upon hearing what was alleged by the said counsel and it appearing that certain errors in the description of the annexed areas have been disclosed and that it is necessary to amend the Order hereinbefore referred to so as to provide for certain other matters incidental to the said annexation.

1. THE BOARD ORDERS, under and pursuant to the powers contained in the legislation hereinbefore referred to, that the Order of The Ontario Municipal Board herein dated the 1st day of November, A.D. 1951 hereinbefore referred to (P.F. C-4238), be and the same is hereby amended,

- (a) by deleting therefrom the Schedule "A" and attached maps attached thereto and substituting therefor as Schedule "A" the Schedule and maps attached to this Order as Schedule "A".
- (b) by deleting in clause 4(b) the words "for ninety days after the 30th September, 1951", and inserting therein instead the words "to 31st January, 1952".
- (c) by adding the following words to clause 3(e) "The City of Kingston is authorized from time to time to pass by-laws, subject to the approval of this Board, providing for one or more additional places for the payment of the principal and interest of the said debentures".
- (d) by adding sub-clause (e) to clause 13 as follows, "that the hours for voting in the said elections shall be from 9.00 a.m. to 6.00 p.m.".
- (e) by adding thereto as sub-clause (d) of clause 14 the following, "(d) that notwithstanding the provisions of Section 273 (4) of the Municipal Act, the municipal council of the Corporation of the City of Kingston may during the year 1952 submit to the electors of the said City any by-law or by-laws of the class referred to in the said Section 273 (4) on any day during the said year other than a day in the month of July or August, provided that all other requirements of the law respecting submission of such by-laws are complied with".

(L.S.)

(Sgd.) L. R. CUMMING,  
Chairman.

DESCRIPTION



DESCRIPTION OF LANDS TO BE ANNEXED TO THE  
CITY OF KINGSTON 1951*Schedule "A"*

ALL AND SINGULAR those certain parcels or tracts of land and premises situate lying and being in the Village of Portsmouth, Township of Kingston, the marsh and the Great Cataraqui River; being composed of all the Village of Portsmouth, part of broken front lots twelve (12) and thirteen (13) and all of Lot seventeen (17) in front of Concession 1 in the Township of Kingston; part of lots twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen and twenty Concession 1 Township of Kingston; part of lots fourteen, fifteen, sixteen and seventeen Concession 2 Township of Kingston; all of lots eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four Concession 2 Township of Kingston; part of lots eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, and twenty-four Concession 3 Township of Kingston; all of lots six and seven and Part Lots five and nine West of the Great Cataraqui River Township of Kingston; all lots one, two, three, five, six, and seven, as shown on the registered plan No. 68 for the County of Frontenac. All the lots and registered plans shown on the above-mentioned Village of Portsmouth and the Township of Kingston lots, all the marsh and the Great Cataraqui River lying between the east limit of Registered Plan No. 68 and lots five, six, seven, (5, 6, 7,) and part of lot nine (9) west of the Great Cataraqui River; and the easterly water's edge of the Great Cataraqui River are included in the lands herein described.

COMMENCING at the water's edge of Lake Ontario in the direction of the line between lots twenty and twenty-one in the first and broken front Concession of the Township of Kingston, being the south-west angle of Broken Farm Lot 21 in front of Concession 1, in the City of Kingston;

Thence South 4 deg. 03 min. East two hundred feet (200');

Thence South 65 deg. 37 min. West along the Southerly limit of the Village of Portsmouth (as set out by By-law No. 91—23rd Dec. 1858 C.C.F.) a distance of 4144.8 feet;

Thence North 4 deg. 03 min. West along the West limit of the Village of Portsmouth two-hundred feet (200') to the water's edge of Lake Ontario;

Thence Westerly along the water's edge 1323 feet more or less to the limit between Lots Sixteen (16) and Seventeen (17);

Thence South 4 deg. 03 min. East along the Southerly production of the said last-mentioned limit to a point distant 3300 feet more or less from the Road Allowance between Concession One (1) and the Broken Front Concession;

Thence Westerly along the Southerly limit of the parcel annexed to the City of Kingston by R.S.O. 1931, Chapter 103, to the South-Easterly angle of the parcel annexed to the City of Kingston by 20, Geo. V., Chapter 84, 1930;

Thence along the Southerly limit of the above-mentioned parcel South 70 deg. 30 min. West one thousand feet (1000');

Thence North 19 deg. 30 min. West 4150 feet to the Southerly limit of Concession One (1);

Thence Easterly along the last-mentioned limit to the Westerly limit of the parcel annexed to the city by 20, Geo. V., Chapter 84, 1930;

Thence Northerly along the last-mentioned limit to the water's edge of Cataraqui Bay;

Thence

Thence Westerly along the water's edge and across the mouth of the Little Cataraqui Creek to a concrete monument planted at the intersection of the Southerly limit of the Front Road with the High Water Mark of the Cataraqui Bay;

Thence North 42 deg. 49 min. West one hundred and twenty-one and seven-tenths (121.7') feet to a concrete monument;

Thence North 76 deg. 35 min. West four hundred and eighty-seven feet (487') to a concrete monument;

Thence north 27 deg. 45 min. East seventy-six and ninety-seven one-hundredths feet (76.97') to a concrete monument, planted in the Southerly limit of the road allowance between Concession 1 and the broken front in front of Concession 1; distant therein easterly nineteen and seven-tenths feet (19.7') from the limit between lots twelve and thirteen;

Thence North 72 deg. 47 min. West one hundred and eleven and seventy-five one hundredths feet (111.75') to a concrete monument planted in the north limit of the above-mentioned road allowance;

Thence North 68 deg. 41 min. West three hundred and thirty-seven and two-tenths feet (337.2') to a concrete monument;

Thence North 66 deg. 58 min. East five hundred and twenty-one and fifteen one-hundredths feet (521.15') to a concrete monument;

Thence North 35 deg. 34 min. West four hundred and eighty feet and forty-six one-hundredths feet (480.46') to a concrete monument;

Thence North 79 deg. 34 min. East three hundred and ninety-four and eighty-five one-hundredths feet (394.85') to a concrete monument;

Thence North 3 deg. 16 min. West three hundred and twenty-eight and eighty-two one-hundredths feet (328.82') to a concrete monument;

Thence North 88 deg. 21 min. West four hundred and thirty-four and eighty-five one-hundredths feet (434.85') to a concrete monument;

Thence North 39 deg. 52 min. West four hundred and thirty-two and ninety-five one-hundredths feet (432.95') to a concrete monument;

Thence North 65 deg. 24 min. West two hundred and fifty feet (250') to an iron bar;

Thence North 43 deg. 41 min. West seven hundred and sixty-five and seven-tenths feet (765.7') to an iron bar;

Thence North 3 deg. 44 min. West four hundred and eighty-two and ninety-five one-hundredths feet (482.95') to an iron bar;

Thence South 83 deg. 52 min. East one thousand one hundred and thirty-six and thirty-seven one-hundredths feet (1,136.37') to an iron bar;

Thence North 49 deg. 20 min. east one thousand two hundred and ninety and sixty-five one-hundredths feet (1,290.65') to an iron bar;

Thence North 36 deg. 41 min. East five hundred and twenty-eight and twenty-five one-hundredths feet (528.25') to an iron bar;

Thence North 21 deg. 24 min. West four hundred and twenty-seven and three-tenths feet (427.3') to an iron bar;

Thence South 76 deg. 3 min. West one thousand and forty-four and four-tenths feet (1,044.4') to an iron bar;

Thence North 3 deg. 56 min. West four hundred and nineteen and sixty-five one-hundredths feet (419.65') to an iron bar;

Thence



Thence North 43 deg. 28 min. East one thousand six hundred and fifty-one and ninety-two one-hundredths feet (1,651.92') to an iron bar;

Thence South 69 deg. 18 min. East two hundred and twenty-six and sixty-five one-hundredths feet (226.65') to an iron bar;

Thence North 46 deg. 25 min. East four hundred and ninety-three and three-tenths feet (493.3') to an iron bar;

Thence North 13 deg. 49 min. West three hundred and eighty-eight and twenty-five one-hundredths feet (388.25') to an iron bar;

Thence North 27 deg. 9 min. East three hundred and fourteen and seven-tenths feet (314.7') to an iron bar;

Thence North 62 deg. 52 min. West two hundred and thirty-nine feet (239') to a concrete monument;

Thence North 7 deg. 49 min. West two hundred and ninety-seven and sixty-five one-hundredths feet (297.65') to a concrete monument planted fifty feet (50') northerly from the centre line of The King's Highway No. 33;

Thence North 31 deg. 50 min. East two hundred and eighty-seven and two-tenths feet (287.2') to a concrete monument;

Thence North 72 deg. 39 min. East four hundred and eighty-four and two-tenths feet (484.2') to a concrete monument;

Thence North 39 deg. 14 min. East four hundred and fifty-eight and seven-tenths feet (458.7') to a concrete monument;

Thence North 0 deg. 3 min. West six hundred and seventy-three and three-tenths feet (673.3') to a concrete monument;

Thence North 11 deg. 10 min. East eight hundred and eight and two-tenths feet (808.2') to a concrete monument;

Thence North 14 deg. 53 min. West two hundred and sixty-three and eight-tenths feet (263.8') to a concrete monument;

Thence North 29 deg. 37 min. East five hundred and eighty-four and nine-tenths feet (584.9') to a concrete monument;

Thence North 27 deg. 12 min. West across Dawson Creek and the marsh adjoining said Creek, a distance of one thousand five hundred and ninety and five-tenths feet (1,590.5') to a concrete monument;

Thence North 20 deg. 36 min. East one hundred and fifty and fifty-five one-hundredths feet (150.55') to a concrete monument;

Thence North 36 deg. 0 min. West four hundred and ninety-one and twenty-five one-hundredths feet (491.25') to a concrete monument;

Thence North 13 deg. 56 min. East two hundred and ninety-seven and eighty-five one-hundredths feet (297.85') to a concrete monument;

Thence North 17 deg. 23 min. West two hundred and seventy-five and twenty-five one-hundredths feet (275.25') to a concrete monument planted in a fence line, marking the southerly limit of the Canadian National Railway right-of-way, (Toronto—Montreal main line);

Thence North 51 deg. 46 min. East in the last-mentioned limit, one thousand one hundred and sixty-five feet (1,165') to a concrete monument planted fifty feet (50') southerly from the centre line of The King's Highway No. 2;

Thence North 52 deg. 6 min. and 46 sec. East, on a line parallel to and distant southerly at right angles thirty feet (30') from the southerly rail of the southerly track of the Canadian National Railway main line;

a distance of two thousand one hundred and sixty-six and one-tenth feet (2,166.1') to a concrete monument planted in the northerly limit of the road allowance between Concessions 2 and 3, and distant therein on a course South 88 deg. 15 min. West one thousand and eighty-two and seven-tenths feet (1,082.7') from the south-west angle of lot 19 Concession 3;

Thence North 51 deg. 58 min. 32 sec. East, parallel and distant southerly thirty feet (30') from the south rail of the south tracks of the Canadian National Railway, a distance of one thousand three hundred and sixty-one and nine-tenths feet (1,361.9') to a concrete monument planted in the limit between lots 18 and 19, distant therein northerly eight hundred and four and six-tenths feet (804.6') from the south-west angle of lot 19 Concession 3;

Thence North 0 deg. 39 min. West, in the limit between lots 18 and 19, three thousand seven hundred and sixty-one and four-tenths feet (3,761.4');;

Thence North 88 deg. 0 min. 4 sec. East seven thousand seven hundred and fifty-five and one-tenth feet (7,755.1') to a concrete monument, planted forty-three (43') westerly from the centre line of Division Street;

Thence North 84 deg. 15 min. 7 sec. East across Division Street, eighty-six feet (86') to a concrete monument;

Thence North 84 deg. 15 min. 7 sec. East, along the limit between lots 3 and 4 as shown on Registered Plan No. 68, a distance of two thousand eight hundred and nineteen and five-tenths feet (2,819.5') to a concrete monument;

Thence North 5 deg. 39 min. 13 sec. West, along the line between lots 4 and 6, Registered Plan No. 68, a distance of one thousand one hundred and twenty-four and thirty-five one-hundredths feet (1,124.35') to a concrete monument;

Thence North 83 deg. 30 min. 26 sec. East, along the line between the northerly limit of lot 6 Registered Plan No. 68, and the southerly limit of Township lot 9 west of the Great Cataraqui River; a distance of three thousand eight hundred and thirty-five and two-tenths feet (3,835.2') to a concrete monument planted forty-three feet (43') westerly at right angles from the centre line of the Montreal Road;

Thence North 84 deg. 9 min. East, across the Montreal Road, one hundred and five and fifty-seven one-hundredths feet (105.57') to a concrete monument;

Thence North 83 deg. 30 min. 26 sec. East, along the limit between lot 7 Plan No. 68 and Township lot 9 west of the Great Cataraqui River, and its production easterly, nine hundred and seventy feet (970') to a concrete monument planted in the right-of-way of the Canadian National Railway;

Thence North 74 deg. 49 min. 26 sec. East (astronomic) six thousand five hundred feet (6,500') more or less, to the easterly water's edge of the Great Cataraqui River;

Thence Southerly and Westerly along the Easterly water's edge of the Great Cataraqui River, to the point of intersection with the Easterly production of the limit between Township lots 4 and 5 West of the Great Cataraqui River;

Thence Westerly along the said production and the limit between the said lots 4 and 5 itself, and its production Westerly, to the Westerly limit of Division Street;

Thence Southerly along the Westerly limit of Division Street to the South-east angle of lot 24 Concession 2;

Thence Westerly in a direct line crossing Concession Street to the North-west angle of lot 21 Concession 1;

Thence southerly along the limits between lots 20 and 21 to the South limit of The Kings' Highway No. 33;

Thence Westerly along the said last-mentioned limit to the Westerly limit of Palace Road;

Thence Southerly along the last-mentioned limit to the Southerly limit of Johnson Street;

Thence Easterly along the last-mentioned limit to the line between lots 20 and 21;

Thence Southerly along the said last-mentioned limit to the point of commencement of the herein described parcel;

SAVE AND EXCEPT from the above-described lands, the lands annexed to the City of Kingston (1) by 20, Geo. V. Chap. 84, 1930; (2) by R.S.O., 1931, Chap. 103 and (3) by Municipal Board Order as set out in Instruments Numbers 27146A and 29249 and filed in the Registry Office for the Registry Division of Kingston and Frontenac.

The above-described lands to be annexed are outlined in red on the accompanying plans.

And all the water lots lying south of the Village of Portsmouth, the City of Kingston and the Township of Kingston to which patents have been issued by the Crown; and all the waters and land under the waters of Lake Ontario and the Harbour lying south of the land lying between the said south-west angle of the Broken Front Lot 21 in Front of Concession 1 Township of Kingston formerly and now in the City of Kingston and the concrete monument standing at the intersection of the southerly limit of the Front Road with the High Water Mark of the Cataraqui Bay. The westerly limit of said waters, and the land under the waters is a line through the above described concrete monument on limit of the Front Road, and is a line parallel to the limit between lots 12 and 13 Concession 1 Township of Kingston. And the said waters and land under waters extend southerly to within 500 yards of the shores of the Township of Wolfe Island.

#### PLANS

(Illustrating the above descriptions)



## CHAPTER 124

## An Act respecting the City of London

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the City of London <sup>Preamble</sup> by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding any of the provisions of *The* <sup>Gratuities</sup> *Municipal Act*, the council of The Corporation of the City <sup>Rev. Stat.,</sup> of London is authorized and empowered, <sup>c. 243</sup>

(a) to pass a by-law or by-laws, with the approval of the Department of Municipal Affairs, to provide and pay to any person who is now or had been since the 1st day of January, 1947, an employee of the Corporation, as defined by clause *a* of paragraph 48 of section 386 of *The Municipal Act*, and who at the date of retirement has or had less than twenty years service with the Corporation and for whom a pension has not been otherwise provided by the Corporation, an annual gratuity of \$15 for each year of service of the employee with the Corporation prior to the 1st day of January, 1948, periods of less than a full year being pro-rated, the said gratuities to be payable during the lifetime of the employee and for such term certain not exceeding five years, and upon such terms and conditions as the council of the Corporation may determine; and

(b) to pass by-laws to levy and set aside in each year such moneys as are required to provide sufficiently for the payment of the said gratuities as they become due, and to invest and reinvest so much of the said moneys so levied as are not required immediately for the said purposes.

(2) No part of the said funds so raised, or the income there- <sup>Use of</sup> from, shall be used for any other purpose than the payment of <sup>funds</sup>

the



the said gratuities unless the Department of Municipal Affairs certifies that any portion of such fund, or the income therefrom, is no longer required for the said purposes, and in such event the same, or so much thereof as is so certified, shall be placed in the general funds of the Corporation.

Use of  
poles and  
wires

**2.** The council of the Corporation may pass by-laws for authorizing and regulating, upon such terms and conditions as to the council may seem expedient, the erection and maintenance upon highways and lanes within the limits of the Corporation of poles and wires, or the placing and maintenance of wires upon any poles with the authority of the owner for the purpose of transmitting electrical or electronic impulses, signals and messages of every nature and kind, including those of alarm and protective systems, radio programmes, or parts thereof, or television programmes, or parts thereof.

Market  
Square

**3.—(1)** Without limiting any of the powers of the Corporation, the council of the Corporation is authorized and empowered to pass by-laws, with the approval of the Ontario Municipal Board, for all or any of the following purposes:

- (a) to rent or license the use of any or all of the Market Square in the City of London for market purposes, upon such terms and conditions, and for such rental or licence fee, as to the council may appear proper, provided no term of rental or licence shall exceed one year;
- (b) when, in the opinion of the council, any or all portions of the Market Square are not required for market purposes, to provide at such fee or charge as to the council may appear proper, spaces for parking of vehicles, and to provide parking meters or other means of collecting such fee or charge, and to govern and regulate such parking, and to impose penalties for infractions thereof as to the council may appear proper, and for this purpose the Corporation shall have all the powers, privileges and immunities *mutatis mutandis* provided under paragraph 7 of section 486 of *The Municipal Act*;
- (c) notwithstanding any other Act, to set aside for market purposes, on such days and times as to the council may appear proper, public highways adjoining the Market Square, or any parts thereof, and to provide for such fee or charge therefor as to the Council may appear proper, and to provide parking meters or other means of collecting such fee or charge, and to govern and regulate such use of such portions of such highways and to impose such penalties for

Rev. Stat.,  
c. 243

infractions



infractions of such regulations as to the council may appear proper, and for this purpose the Corporation shall have all the powers, privileges and immunities *mutatis mutandis* provided under paragraph 7 of section 486 of *The Municipal Act*;

Rev. Stat.,  
c. 243

- (d). with the approval of the ratepayers of the Corporation entitled to vote on money by-laws, to construct a building or buildings upon the Market Square, which building or buildings shall be used for market purposes and may incorporate storage facilities, retail stores and parking facilities for vehicles, and to govern and regulate the use of such building and to impose such penalties for infractions of such regulations as to the council may appear proper.

(2) When such uses, or any of them, are so established upon <sup>Idem</sup> the Market Square they shall, for all purposes, be deemed to be the operation of a public market.

4. Sections 6 and 7 of *The City of London Act, 1951* are repealed and the following substituted therefor:

1951,  
c. 107,  
ss. 6, 7,  
re-enacted

- 6.—(1) With the intent that the transportation system shall be entirely self-sustaining, the Commission shall so regulate and fix all tolls and fares for the carriage of passengers that a revenue shall be produced which, together with the application of an appropriate part of any fare stabilization reserve, shall be in each year sufficient to provide the cost of operating the transportation system and works and equipment used in connection therewith, including interest charges upon moneys raised by the Commission, the cost of repair, the maintenance and upkeep of such system and all buildings and equipment used in connection therewith, the cost of making such renewals and replacements as are properly chargeable to revenue, the cost of insurance against fire, public liability and property damage, the setting up of proper reserves and depreciation accounts, including reserves for stabilization of fare structure, such sums as are required to pay to the Corporation the interest at the rate provided in section 7 upon all moneys provided by the Corporation for the acquisition of or for any of the purposes of the transportation system, including moneys expended in any way for the acquisition of such transportation system and for all steps and formalities preceding such acquisition and incidental to acquiring a transportation system, until all such moneys have been repaid to

Commission  
to be self-  
sustaining

the Corporation, such sums as are required to pay such amounts as may be agreed to be paid pursuant to clause *f* of section 4, such sums as are required to pay audit charges and such remuneration of commissioners as may be provided by by-law of the Council.

Payments  
in 1952 to  
Corporation

- (2) The Commission also shall provide from fares, and pay to the Corporation not later than the 31st day of December, 1952, the amount of moneys expended in any way for the acquisition of such transportation system, and for all steps and formalities preceding such acquisition and incidental to acquiring such system, which has not been provided by the issue of debentures.

Liability

- (3) Failure to produce such revenue shall not impose any personal liability upon any commissioner.

Capital  
charges

- 7.—(1) All moneys expended by the Corporation for the acquisition of or for any of the purposes of the transportation system, including moneys expended in any way for the acquisition of such transportation system and for all steps and formalities preceding such acquisition and incidental to acquiring a transportation system, shall be set up upon the books of the Commission in the amount certified by the Corporation as a capital charge and debt due to the Corporation.

Interest  
payments

- (2) The Commission shall, on or before the 31st day of December in each year, pay to the Corporation interest upon such charge and debt at a rate from time to time fixed by the Council until such charge or debt has been repaid to the Corporation in full.

Interest  
rate

- (3) The rate shall be that required to pay the interest on outstanding debentures issued for the said purposes, and after the same are retired the rate shall be in each year the average current debenture borrowing rate of the Corporation.

Surplus

- (4) The Commission shall pay to the Corporation in each year the surplus in the hands of the Commission by which the revenues in such year exceed the amounts required to be provided for in such year under section 6.

Idem

- (5) Such surplus shall be paid to the Corporation upon the completion of the audit of the books of the Commission for such year and when so paid shall be applied by the Corporation in reduction of such charge or debt.

5. The deed made by The University of Western Ontario to The Corporation of the City of London, dated the 31st day of March, 1951, and registered on the 19th day of April, 1951, in the Registry Office for the Registry Division of the City of London as No. 55941 for the East Division of the City of London, is declared to be legal, valid and binding and to vest the lands therein described in The Corporation of the City of London. Deed validated

6. The Corporation is authorized and empowered to set up a fund with the excess of receipts from parking meters over all expenses and disbursements in connection therewith, and to use the same, or so much thereof as may be required, from time to time, for the purchase or lease of lands and premises for the parking of vehicles, for the improvement of traffic conditions, for the widening or extension of streets or for the widening of pavements on streets within the City of London. Parking meter fund

7. The council of the Corporation is authorized and empowered and shall be deemed to have had power to pass by-laws for authorizing any person to lay, use or maintain pipes or conduits for the transmission of oxygen or other non-inflammable gas or liquid along, under, in or upon highways or land owned by the municipality, and for making such annual or other charge for the privilege conferred as to the council may seem reasonable, and for entering into agreements with persons for the use by them of such pipes or conduits on such terms and conditions as may be agreed upon, and such annual or other charge and any expense incurred by the Corporation in restoring the highway to its former condition shall be payable, and payment may be enforced, in like manner as taxes upon any lands to which such by-law or agreement may refer. Laying of pipes for oxygen, etc.

8. The council of the Corporation is authorized and empowered to pass by-laws regulating the placing of signs upon street allowances and for making an annual or other charge for the privilege conferred and for entering into agreements with persons for such purposes, and such annual or other charge and any expenses incurred by the Corporation in restoring the highway to its former condition shall be payable, and payment may be enforced in like manner as taxes upon any lands to which such by-law or agreement may refer. Signs on street allowances

9. This Act comes into force on the day it receives Royal Assent. Commencement

10. This Act may be cited as *The City of London Act*, 1952. Short title



## CHAPTER 125

**An Act respecting the Township of McKim**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the Township of McKim Preamble  
by its petition has prayed for special legislation in  
respect of the matter hereinafter set forth; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** Notwithstanding *The Local Improvement Act* or any water  
other Act, the council of the Corporation may, with the service pipes  
approval of the Ontario Municipal Board or with the assent Rev. Stat.,  
c. 215  
of the electors qualified to vote on money by-laws in the area,  
by by-law provide that, in respect of watermains in that area  
of the Township established by by-law and known as "Water  
and Sewer Area No. 6", the amount to be assessed against  
each lot in respect of the water service pipe from the water-  
main to the street line shall be the average of the cost of all  
such water service pipes in the said area.

**2.** This Act comes into force on the day it receives Royal Commence-  
ment  
Assent.

**3.** This Act may be cited as *The Township of McKim Act*, Short title  
1952.





## CHAPTER 126

**An Act respecting the Municipality of Neebing***Assented to April 10th, 1952**Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the Municipality of Neebing by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The Municipality of Neebing shall be divided into five Wards wards composed as follows:

- (a) the ward of Neebing North, consisting of all that portion of the Township of Neebing, not included in the City of Fort William, lying north of the Kaministikwia River;
- (b) the ward of Neebing South, consisting of all that portion of the Township of Neebing, not included in the City of Fort William, lying south of the Kaministikwia River;
- (c) the ward of Blake consisting of the Township of Blake;
- (d) the ward of Crooks consisting of the Township of Crooks; and
- (e) the ward of Pardee consisting of the Township of Pardee,

and all the islands in front of each of the Townships of Blake, Crooks and Pardee within the distance of one mile are hereby declared to be part of the said wards in front of which the said islands lie respectively.

**2.** The council of the Municipality of Neebing shall consist of one reeve and five councillors, one councillor to be elected for each ward by the electors thereof, and the reeve to be elected by general vote of the whole municipality.

Proceedings  
for first  
election

**3.** The council of the Municipality may pass by-laws providing for the holding of nominations, for polling places for the electors of the Municipality and for all other purposes necessary for the holding of elections prior to the coming into force of this Act.

1892, c. 76,  
ss. 1-4,  
repealed

**4.** Sections 1 to 4 of *An Act to amend the Law respecting the Municipality of Neebing*, being chapter 76 of the Statutes of Ontario, 1892, are repealed.

1904, c. 61,  
ss. 10-13,  
repealed

**5.** Sections 10 to 13 of *An Act to incorporate the Municipality of the Township of Paipoonge*, being chapter 61 of the Statutes of Ontario, 1904, are repealed.

Commence-  
ment

**6.** This Act comes into force on the 1st day of January, 1953.

Short title

**7.** This Act may be cited as *The Municipality of Neebing Act, 1952*.

## CHAPTER 127

## An Act respecting the Town of New Toronto

*Assented to March 17th, 1952*  
*Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the Town of New Toronto Preamble  
 by its petition has prayed for special legislation in  
 respect of the matter hereinafter set forth; and whereas it is  
 expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:

**1.** Section 2 and Schedule A of *The County of York Act*, 1937, c. 106,  
 s. 2,  
 Sched. A,  
 repealed  
 1937 are repealed.

**2.** This Act comes into force on the day it receives Commence-  
 ment  
 Royal Assent.

**3.** This Act may be cited as *The Town of New Toronto Act*, Short title  
 1952.



## CHAPTER 128

## An Act respecting the Town of Orillia

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the Town of Orillia by Preamble  
its petition has prayed for special legislation in respect  
of the matter hereinafter set forth; and whereas it is expedient  
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. Notwithstanding section 74 of *The Power Commission* Hydro agreement confirmed  
*Act*, the agreement between The Hydro-Electric Power Com-  
mission of Ontario and Orillia Water, Light and Power Com-  
mission, dated the 20th day of March, 1952, set forth as the Rev. Stat., c. 281  
Schedule hereto, is ratified and confirmed and declared to be  
legal, valid and binding on the parties thereto.

2. This Act comes into force on the day it receives Royal Commence-  
ment  
Assent.

3. This Act may be cited as *The Town of Orillia Act, 1952*. Short title

## SCHEDULE

THIS AGREEMENT made in duplicate this 20th day of March, A.D. 1952.

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,  
hereinafter called the "Commission",

OF THE FIRST PART,

—and—

ORILLIA WATER, LIGHT AND POWER COMMISSION,  
hereinafter called the "Customer",

OF THE SECOND PART.

WHEREAS the Customer has applied to the Commission for a supply of electrical power and the Commission is willing to supply the same on the terms and conditions herein contained, all under the provisions of *The Power Commission Act*, R.S.O. 1950, Chapter 281 and amendments thereto, and the enabling legislation hereinafter referred to:

NOW THEREFORE THIS INDENTURE WITNESSETH that subject to the said Act and enabling legislation, and for the considerations herein contained the parties hereto covenant, promise and agree as follows:—

1. THE COMMISSION AGREES:

(a) To reserve for and deliver to the Customer at the earliest possible date up to a maximum amount of One Thousand Five Hundred Kilowatts (1500 Kw) of electrical power as required by the Customer hereunder;

1. (b) To use at all times first-class, suitable standard commercial apparatus and plant and to exercise all due skill and diligence so as to secure the satisfactory operation of the plant and apparatus of the Customer;

1. (c) To deliver commercially continuous twenty-four (24) hour power every day in the year except as provided for herein to the Customer at the point of delivery herein defined as the dead-ending point on the Commission's transmission line at the Customer's Swift Rapids Plant, or at such other point that is mutually agreeable.

2. THE CUSTOMER AGREES TO:

(a) Take the power covered by this agreement and to prepare for the receipt and use of the said power so as to be able to receive power when the Commission is ready to deliver the same;

2. (b) Pay to the Commission for power hereunder in monthly payments at the rate of Forty-two Dollars (\$42.00) per Kilowatt per annum, such monthly payments being based on the monthly kilowatt demand for the month as determined at the point of measurement hereinafter defined and the said monthly kilowatt demand being the greatest average or integrated amount of power delivered to or taken by the Customer for any twenty (20) consecutive minutes in the month determined from coincident readings of the meters hereinafter referred to.

3. If in any month the power taken hereunder exceeds One Thousand Five Hundred Kilowatts (1500 Kw) with or without correction for excess load factor under clause 7, the operators of the Commission may notify the operators of the Customer either by telephone or otherwise and the Customer shall forthwith discontinue taking such excess power. If during any month power is taken in excess of One Thousand Five Hundred Kilowatts (1500 Kw) the Customer shall pay for power for such month as if the said excess had been taken for the whole month but such taking and payment shall not be deemed to be an authorization to the Customer to take excess power at any future time.



4. In any event the Customer shall pay to the Commission for power hereunder for each month as a minimum a charge at the rate set forth in clause 2 (b) for the greatest kilowatt demand for any previous month not in excess of One Thousand Five Hundred Kilowatts (1500 Kw) or a charge at the said rate for One Thousand Kilowatts (1000 Kw), whichever charge is the greater.

5. All amounts payable by the Customer in lawful money of Canada shall be paid at the offices of the Commission in Toronto. Bills shall be rendered by the Commission on or before the Fifteenth day and paid by the Customer on or before the Twenty-fifth day of each month. If any bill remains unpaid for thirty (30) days, the Commission may, in addition to all other remedies and without notice, discontinue the supply of power to the Customer until said bill is paid. No such discontinuance shall relieve the Customer from the performance of the covenants, provisions and conditions herein contained. All payments in arrears shall bear interest at the rate of five per cent (5%) per annum.

6. THE CUSTOMER AGREES TO:

(a) Take power exclusively from the Commission during the continuance of this agreement; provided, however, that the Customer may continue to generate and distribute power for its own use and the use of its customers within the scope of its statutory powers so long as it complies with the requirements of clause 6 (b) hereof;

(b) Synchronize and operate its generating plants in parallel with the Commission's system in a manner satisfactory to the Commission, and also to operate the said generating plants in a manner satisfactory to the Commission in respect of utilizing their facilities to the maximum available from time to time for power thereby developed which shall be at a load factor at least as high as the daily load factor of power supplied by the Commission hereunder; to refrain from taking power hereunder in such manner that the energy taken during any day shall be in excess of a load factor for that day of Seventy per cent (70%) on the kilowatt demand for that day, the kilowatt demand for any day being the greatest average or integrated amount of power delivered to or taken by the Customer for any twenty (20) consecutive minutes in that day determined from coincident readings of the said meters, subject to power factor correction; and also to refrain from taking power hereunder in such manner that the energy taken during any month shall be in excess of a monthly load factor of Sixty per cent (60%) on the amount of power for which the Customer pays for such month.

7. If the Customer during any month, takes energy in excess of a load factor of Sixty per cent (60%) on the kilowatt demand for such month, such kilowatt demand shall be deemed to have been increased thereby for all the purposes of this agreement in accordance with the following factor:—

Kilowatt demand  
for the month

\*The number expressing in percentage  
the said load factor at which power was  
taken for the month.

---

60

8. The point of measuring the power covered by this agreement shall be at the switchboard in the Commission's Big Chute Generating Station and no correction or adjustment shall be made by reason of the measuring equipment being connected at other than the point of delivery, this having been taken into consideration in agreeing upon the price of power hereunder.

9. Measurement of all power and energy under this agreement shall be made by means of suitable polyphase recording meters. The measuring equipment including meters, current and potential transformers and other equipment shall be so arranged as to measure and record the said power and energy with commercial accuracy and shall be provided, installed and maintained commercially correct by the Commission. The Customer shall have the right to test any such measuring equipment in the presence

of a representative of the Commission by giving to the Commission seven (7) days' previous notice in writing of the Customer's desire to test such measuring equipment.

10. If the Customer at any time fails in the performance of any of its obligations affecting electrical operation under this agreement including, without limiting the generality of the foregoing, taking power in excess of the maximum under this agreement or failing to operate as required in this agreement, then the Commission may give notice thereof to the Customer, which notice may be given by telephone to an employee of the Customer by an operator of the Commission and the Customer shall immediately remedy the said failure. In case of continued failure for more than fifteen (15) minutes after notice, the Commission may discontinue delivery to the Customer of all power or of any part thereof and shall not be obliged to resume delivery to the Customer until the Customer shall have given to the Commission sufficient assurance that such failure will not recur. The Customer shall forthwith designate in writing to the Commission to what employee the said notice under this clause 10 is to be given, and in default of such designation or in the event of the said employee not being immediately available to receive such notice the said notice may be given by telephone or otherwise to any other employee of the Customer.

11. THE CUSTOMER AGREES TO:

(a) At all times to take and use the electrical power in such manner that the ratio of the kilowatts to the kilovolt amperes (read simultaneously) is unity, but when this is not possible the Customer shall pay for ninety per cent (90%) of the maximum kilovolt amperes (considered as true power or kilowatts) when the said ninety per cent (90%) is in excess of the maximum kilowatts taken; the maximum in kilowatts or kilovolt amperes shall be taken as the maximum average or integrated demand over any twenty (20) consecutive minutes;

11. (b) Use at all times first-class, suitable standard commercial apparatus and plant to be approved by the Commission and to operate and maintain the apparatus and plant so as not to cause more than minimum disturbance or fluctuation to the Commission's supply, and to exercise all due skill and diligence so as to secure satisfactory operation of the plant and apparatus of the Commission and of the Customer.

12. The power shall be alternating, three-phase, having a frequency of approximately Sixty (60) cycles per second and a nominal voltage of approximately Twenty-three Thousand (23,000) volts, subject to normal variations from the said voltage of approximately ten per cent (10%) and from the said frequency of approximately five per cent (5%);

"Power" shall mean electrical power and except where the context requires a different meaning shall mean also and include "energy";

One Kilowatt shall be equivalent to One Thousand Watts (1,000 W.).

12. (b) The maintenance by the Commission of approximately the agreed voltage at approximately the agreed frequency, at the point of delivery shall constitute the supply of power involved herein and a fulfilment of all operating obligations of the Commission hereunder, and when the voltage and the frequency are so maintained the amount of power, its fluctuations, load factor, power factor, distribution as to phases, and all other characteristics and qualities are under the sole control of the Customer and the Customer's agents, apparatus, appliances and circuits;

12. (c) In case the Commission shall at any time or times be prevented from delivering said power or any part thereof by any cause reasonably beyond the Commission's control, including without limiting the generality thereof, strike, lock-out, riot, fire, insurrection, hurricane, civil commotion, flood, invasion, explosion, the Queen's enemies and act of God, then the Commission shall not be bound to deliver such power during such time; The Commission shall be prompt and diligent in removing the cause of such interruption and as soon as the cause of such interrup-

tion is removed the Commission shall without any delay deliver the said power; such interruption shall not release the Customer from any obligation under this agreement;

12. (d) The Commission shall have the right at reasonable times, and when possible after reasonable notice has been given to the Customer, to discontinue the supply of power to the Customer for the purpose of safeguarding life or property or for the purpose of operation, maintenance, replacement or extension of the Commission's apparatus, equipment, or works, but all such interruptions shall be of a minimum duration and when possible arranged for at a time least objectionable to the Customer; such interruptions shall not release the Customer from any obligation under this agreement.

13. The engineers of the Commission or one or more of them, or any other person or persons appointed for this purpose by the Commission, shall have the right from time to time, during the continuance of this agreement, to inspect the apparatus, plant and property of the Customer, and take records at all reasonable hours.

14. This agreement shall extend to, be binding upon, and enure to the benefit of the successors and assigns of the parties hereto.

15. Any waiver by either party or failure to exercise any rights or enforce any remedy shall be limited to the particular instance and shall not operate or be deemed to extend to any other matter under this agreement or in any way affect the validity of this agreement.

16. This agreement shall become effective only if ratified by Act of the Ontario Legislature within a period of one year from the date hereof and if and when so ratified, shall remain in force for a period of Two (2) years commencing from the date such ratifying Act comes into force, or the 1st day of September, A.D. 1952, whichever date shall be later.

IN WITNESS WHEREOF the Commission and the Customer have caused this agreement to be executed under their corporate seals attested by the signatures of their proper officers duly authorized thereto.

THE HYDRO-ELECTRIC POWER  
COMMISSION OF ONTARIO

ROBERT H. SAUNDERS,  
*Chairman.*

(Seal)

E. B. EASSON,  
*Secretary.*

ORILLIA WATER, LIGHT AND  
POWER COMMISSION

E. L. CAVANA,  
*Chairman.*

(Seal)

G. H. BONGARD,  
*Secretary-Treasurer.*



## CHAPTER 129

## An Act respecting the City of Oshawa

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the City of Oshawa Preamble by its petition has represented that it is desirable to substitute new provisions for the provisions of *An Act respecting the Town of Oshawa*, being chapter 122 of the Statutes of Ontario, 1922, as amended by section 6 of *The City of Oshawa Act, 1951*, and, more particularly, to provide for changes in the procedure for imposing the special frontage rate for the construction of watermains authorized by the said Act and for exempting agricultural lands therefrom, and has prayed for special legislation in that respect; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subject to sections 2 to 11, the council of the City of Oshawa may, by by-law, levy and charge a special frontage rate not exceeding 15 cents per foot of frontage upon all lands in the City of Oshawa, whether occupied or vacant, fronting or abutting upon streets, lanes or alleys upon or within which watermains have heretofore been or may hereafter be constructed. Special rate re water-mains

2. The special frontage rate shall be an annual rate to be levied and charged in each year during but not beyond a period of twenty years following construction of the watermain upon or within the street, lane or alley upon which the land on which the said rate is levied or charged fronts or abuts. Idem

3. The council shall, by by-law, provide an equitable method of exempting from the special frontage rate lands which front or abut upon more than one street, lane or alley upon or within which watermains have been or may be constructed and lands which are of irregular shape or unfit for building purposes or upon which, for any other reason, it would be inequitable to levy or charge the full frontage rate as aforesaid. Exemptions



Change  
in rate

4. The special frontage rate may be varied from time to time by by-law passed by the council but shall not be increased to more than 15 cents per foot without the approval of the Ontario Municipal Board.

Collection  
of rate

5. The special frontage rate shall be payable at the same time and in the same manner as the general taxes of the City and, until paid, shall be a lien or charge upon the lands on which it is levied and arrears of the special frontage rate shall be subject to the same penalties and be collected in the same manner and by the same processes as arrears of taxes are collected under *The Assessment Act*.

Rev. Stat.,  
c. 24

Refunds

6. When, in any year, any land is charged with the special frontage rate and the owner or occupant of such land is charged with and pays water rates for water supplied to such land or to any building thereon from the watermain constructed upon or within the street, lane or alley upon which such land fronts or abuts, the person or persons liable for payment of the special frontage rate shall be entitled to a refund or remission in respect of the special frontage rate equivalent in amount to the lesser of the special frontage rate and the said water rates or to one of them if both are equal.

When rate  
need not  
be levied

7. Notwithstanding sections 1 to 6, it shall not be necessary to levy or charge the special frontage rate upon any land in any year if the amount of the water rates paid by the owner or occupant of such land in the preceding year for water supplied to such land or to any building thereon from the watermain constructed upon or within the street, lane or alley upon which such land fronts or abuts is equal to or greater than the amount of the special frontage rate.

Rate in  
annexed  
area

Rev. Stat.,  
c. 215

8. Notwithstanding section 2, the period during which the special frontage rate shall be levied and charged in respect of any watermain constructed under *The Local Improvement Act* in that part of the City of Oshawa which, on the 31st day of December, 1950, formed part of the Township of East Whitby and which was annexed to the City of Oshawa on the 1st day of January, 1951, shall be that number of years which bears the same ratio to twenty years as the number of years following December 31st, 1950, during which the special assessments under *The Local Improvement Act* in respect of such watermain were to have been paid, bears to the original total number of years during which such special assessments were to have been paid.

Previous  
rates under  
Rev. Stat.,  
c. 215

9. Upon the passing of a by-law under section 1, all payments falling due after the 31st day of December, 1950, on account of special assessments heretofore imposed under *The*



*Local Improvement Act* in respect of watermains in the City of Oshawa shall be cancelled and, thereafter, no watermains or extensions of water works shall be undertaken in the City of Oshawa under *The Local Improvement Act*.

10.—(1) On and after the day this Act comes into force, the council of the City of Oshawa may pass by-laws from time to time for undertaking the construction of watermains and extensions of the water works system of the City of Oshawa, without obtaining the assent of the electors or any class thereof, provided however that, where any agricultural lands would be subject to the special frontage rate as a result of the passing of any such by-law, the owner or owners of such agricultural lands, as shown by the last revised assessment roll of the City of Oshawa, shall be notified by prepaid registered mail of the passing of such by-law and of the amount of the special frontage rate to be imposed upon such lands and the special frontage rate shall not be imposed upon such lands until after the expiration of twenty-one days from the date of mailing of such notice.

(2) Within the period of twenty-one days aforesaid, any such owner of agricultural lands may file with the clerk of the City of Oshawa notice of appeal to the court of revision, as constituted under *The Assessment Act*, against the imposition of the special frontage rate upon such agricultural lands and, thereupon, such frontage rate shall not be imposed until such appeal has been finally determined in accordance with this section.

(3) The court of revision may direct such further or other notice or notices to be given as may to it seem proper and shall inquire into and hear the appeal and may make such order in the premises as may to it seem just and proper and, more particularly, but without prejudice to the generality of the foregoing, may exempt such agricultural lands or any part thereof from the special frontage rate for such period of years as it shall determine and may, upon the application of any owner of agricultural lands, extend such period of exemption from time to time, provided however that any exemption so granted shall be terminated automatically in respect of any part of such lands when such part ceases to be used for agricultural purposes.

(4) Where any watermain has been constructed in the City of Oshawa after the 31st day of December, 1950, and prior to the day this Act comes into force and any agricultural lands have thereby been made subject to the special frontage rate, any owner of such agricultural lands may file with the clerk of the City of Oshawa notice of appeal to the court of revision

against

against the imposition of the special frontage rate upon such agricultural lands and, thereupon, such frontage rate shall not be imposed until such appeal has been finally determined in accordance with this section and the provisions of subsection 3 shall apply *mutatis mutandis*.

Further  
appeals

(5) There shall be the same rights of appeal from any decision of the court of revision under subsections 3 and 4 as are provided by sections 72 and 80 of *The Assessment Act* and the words "person assessed" in such sections shall be deemed to mean "owner of agricultural lands".

Powers  
of P.U.C.

(6) The powers and rights of appeal conferred by this section upon the council or upon The Corporation of the City of Oshawa shall, while the control and management of the water works system of the City of Oshawa is entrusted to The Public Utilities Commission of the City of Oshawa, be exercised by the Commission and not by the council or Corporation and the notices of appeal mentioned in subsections 2 and 4 shall, in such case, be filed with the secretary of the Commission and not with the clerk of the City of Oshawa but nothing herein shall derogate from the powers possessed by the Commission under *The Public Utilities Act*.

Rev. Stat.,  
c. 320

Payment  
of rates to  
P.U.C.

**11.** All amounts collected in respect of special frontage rates levied and charged under this Act less refunds shall, while the control and management of the water works system of the City of Oshawa is entrusted to The Public Utilities Commission of the City of Oshawa, be paid over, after collection, to the Commission less the charges, if any, which the Council may make for the cost of collecting the rates.

1922, c. 122;  
1951, c. 110,  
s. 6, repealed

**12.** *An Act respecting the Town of Oshawa*, being chapter 122 of the Statutes of Ontario, 1922, and section 6 of *The City of Oshawa Act, 1951* are repealed.

Commence-  
ment

**13.** This Act comes into force on the day it receives Royal Assent.

Short title

**14.** This Act may be cited as *The City of Oshawa Act, 1952*.

## CHAPTER 130

## An Act respecting the City of Ottawa

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the City of Ottawa by Preamble its petition has represented that it is desirable that the City should be authorized to pass and enforce by-laws fixing a standard of fitness of dwellings for human habitation as hereinafter set forth; and that doubts have arisen regarding the validity of certain orders made by the Ontario Municipal Board and that it is expedient to remove such doubts; and that the power to enact by-laws relating to the Ottawa Firemen's Superannuation Fund (incorporated under *The Ontario Insurance Act* on the 24th day of February, 1917, under the name of the Ottawa Firemen's Superannuation and Benefit Fund) is vested in all the members of the said Fund, and that it is desirable that the power to enact such by-laws should be vested in the Board of Trustees of the Fund; and that it is desirable that the City should be authorized to pass by-laws regulating the exterior design of certain buildings as hereinafter set forth; and whereas the petitioner has prayed for special legislation to effect such purposes; and whereas it is expedient to grant the prayer of the petition; R.S.O. 1914,  
c. 183

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.—(1)** In this section,

Interpre-  
tation

- (a) "dwelling" means a building or structure or part of a building or structure occupied or capable of being occupied in whole or in part for the purposes of human habitation and includes the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein;
- (b) "owner" includes the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let.

Standard  
of fitness of  
dwellings

(2) The council of the Corporation may pass by-laws for fixing a standard of fitness for human habitation to which all dwellings shall conform, for requiring the owners of dwellings to make them conform to the standard, for prohibiting the use of dwellings which do not conform to the standard, for governing and regulating persons in the use and occupancy of dwellings and for appointing inspectors or a tribunal or both inspectors and a tribunal for the administration and enforcement of the by-law.

Advances

(3) Where the owner of any dwelling is unable to pay the expense of making it conform to the standard required by the by-law, the Corporation may advance money to or for the benefit of the owner to the extent necessary to pay the expense, and the council of the Corporation may from time to time pass by-laws for the issue of debentures to raise money to be so advanced.

Lien for  
advances,  
and repay-  
ment

(4) When the Corporation has advanced money as provided in subsection 3 it shall have a lien upon the dwelling in respect of which the advance was made for the amount of the advance together with interest thereon at a rate to be fixed from time to time by the council, but which shall not exceed 5 per cent per annum, and the amount of the advance with the interest thereon shall be repayable to the Corporation by the owner of the dwelling in equal consecutive annual payments which shall be collected over a period of years to be determined by the council, which period shall not exceed ten years but need not be the same in the case of each advance, in the same manner and at the same time as the municipal taxes on the dwelling.

Registration  
of certificate

(5) A certificate of the City clerk setting out the amount advanced to or for the benefit of any owner under the provisions of subsection 3 and the rate of interest thereon, together with a description of the dwelling in respect to which the amount was advanced sufficient to identify the dwelling shall be registered in the proper registry office or land titles office against the dwelling upon proper proof by affidavit of the signature of the City clerk, and upon repayment in full to the Corporation of the amount advanced and the interest thereon, a certificate of the City clerk showing the repayment shall be similarly registered and the dwelling shall thereupon be freed from liability in respect to the advance and interest thereon and from the lien arising therefrom.

Rights to  
enforce  
conformity

(6) If any owner of a dwelling is unwilling to make the dwelling conform to the standard required by a by-law passed under this section, the Corporation or the tribunal appointed under subsection 2 in addition to all other remedies shall have the right to make the dwelling conform to the standard,

including



including the right to demolish or cause to be demolished any building, structure or erection forming part of the dwelling and to do any work on adjoining property necessitated by the demolition, and for such purposes with the servants and agents of the Corporation from time to time to enter upon the lands of the owner, and neither the Corporation nor the tribunal shall be liable to compensate the owner or any other person by reason of anything done by or on behalf of the Corporation or the tribunal under this subsection, and, for any amount expended by or on behalf of the Corporation or the tribunal under the authority of this subsection, the Corporation shall have a lien upon the dwelling in respect of which the amount was expended and, subject to the appeal provided by subsection 9, the certificate of the City clerk as to the amount expended shall be final, and such amount shall be added to the collector's roll of taxes for the current year and shall be collected as taxes.

(7) A by-law passed under this section shall be enforceable in the same manner as a by-law passed under *The Municipal Act*. Enforcement  
Rev. Stat.,  
c. 243

(8) Before proceeding under subsection 3 or 6, the Corporation shall notify any mortgagee appearing on the registered title, by registered letter, specifying wherein the dwelling is defective and if all defects are not remedied within one month from such notification then the provisions of subsections 3 and 6 hereof shall apply. Proviso

(9) Any person affected may appeal to the Ontario Municipal Board from a decision made under subsection 6 by the council or by the tribunal appointed under subsection 2, and the decision of the Board shall be final. Appeal

(10) For the enforcement of any by-law passed under this section, any inspector appointed under subsection 2 shall have the same right to enter, inspect and examine any premises as an inspector under section 82 of *The Public Health Act*, and the provisions of sections 82, 123 and 124 of the said Act shall *mutatis mutandis* apply. Powers of  
inspector  
Rev. Stat.,  
c. 306

**2.** It shall not be necessary for the council of the Corporation to obtain the assent of the electors qualified to vote on money by-laws to the passing of any by-law authorizing the issue of debentures as set out in subsection 3 of section 1. Debentures

**3.**—(1) Paragraphs 6 and 8 of Order P.F. B-8464 of the Ontario Municipal Board, dated the 9th day of July, 1951, which read as follows: Municipal  
Board Order  
(part)  
confirmed

6. THE BOARD FURTHER ORDERS, pursuant to section 46 of "The Ontario Municipal Board Act" (R.S.O. 1950,

Chapter 262), that sub-paragraphs 1, 3 and 4 of paragraph numbered 6 of the Board's order dated the 28th day of February, 1949, be and the same are hereby repealed.

. . . . .

8. THE BOARD FURTHER ORDERS that from and after the first day of January, 1950, the City shall assume full liability for and make all payments of interest and principal in respect of debentures issued by the Township concerning the annexed area, and the City shall keep the Township indemnified from and against all claims, demands, losses, costs, expenses and damages which may be incurred or suffered by or by reason of any action or other proceeding which shall or may be brought or instituted against the Township in respect of the said debentures, and the Township shall be relieved from all payments of interest and principal in respect of the said debentures,

are hereby confirmed.

Idem

(2) Paragraph 5 of Order P.F. C-1563 of the Ontario Municipal Board, dated the 19th day of February, 1952, which reads as follows:

5. THE BOARD FURTHER ORDERS that from and after the first day of January, 1950, the City shall assume full responsibility for and make all payments of interest and principal in respect of debentures issued by the Township concerning the annexed area and the City shall keep the Township indemnified from and against all claims, demands, losses, expenses and damages which may be incurred or suffered by or by reason of any action or other proceeding which shall or may be brought or instituted against the Township in respect of the said debentures and the Township shall be relieved from all payments of interest and principal in respect of the said debentures,

is hereby confirmed.

Firemen's  
Superannua-  
tion Fund  
by-laws

4.—(1) The power to enact by-laws relating to the Ottawa Firemen's Superannuation Fund presently vested in all the members of the Fund shall hereafter be vested in the Board of Trustees of the Fund.

Proviso

(2) No by-law enacted under subsection 1 affecting rates of contribution into the Fund or pensions or benefits out of the Fund shall come into effect without the approval of the Superintendent of Insurance for Ontario.

Application  
of Rev. Stat.,  
c. 183, Part. X

(3) Notwithstanding clause *g* of section 240 of *The Insurance Act* and subsections 1 and 2 of this section, the Fund shall be deemed to be a fraternal society within the meaning of Part X of *The Insurance Act* and to be required and entitled to be licensed as such.

Exterior  
design of  
buildings

5.—(1) The council of the Corporation may pass by-laws regulating the exterior design of buildings and structures facing parks, parkways or driveways of the Federal District Commission, or highways having a width of at least eighty feet including all highways specially designated on an official

plan



plan now or hereafter lodged in the office of the Minister of Planning and Development under *The Planning Act* or facing similar public properties or highways, and prohibiting the erection or alteration of any such building or structure the plans and specifications for which have not first been approved by an official or officials or by a committee or board appointed by the council.

(2) A by-law passed under this section shall be enforceable in the same manner as a by-law passed under *The Municipal Act*. Rev. Stat., c. 277  
Enforcement  
Rev. Stat.,  
c. 243.

(3) Any committee or board appointed under subsection 1 may include a representative of the Federal District Commission. District  
Commission  
representa-  
tive

(4) An appeal shall lie to the Ontario Municipal Board from a decision of an official or of a committee or board appointed under subsection 1 and the decision of the Board shall be final. Appeal

**6.**—(1) This Act, except section 4, comes into force on the day it receives Royal Assent. Commence-  
ment

(2) Section 4 shall be deemed to have come into force on the 9th day of May, 1950. Idem

**7.** This Act may be cited as *The City of Ottawa Act, 1952*. Short title



## CHAPTER 131

## An Act respecting the Township of Pelee

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the Township of Pelee by Preamble its petition has represented that the revenues received from the issue of hunting licences under the Township by-law passed under *The Game and Fisheries Act* are substantial and have recently exceeded the other revenues of the Township; and whereas the Corporation has prayed for special legislation to empower the council of the Corporation to expend part of the revenues from such hunting licences for aid to drainage works, for aid to the local municipal telephone system, or for any of the purposes for which municipal councils are empowered by *The Municipal Act* to make grants or pay out moneys; and whereas it is expedient to grant the prayer of the petition;

Rev. Stat.,  
c. 153

Rev. Stat.,  
c. 243

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The council of The Corporation of the Township of Pelee may, without the assent of the electors, expend in any year from revenues obtained from the issue of hunting licences under the Township by-law passed under *The Game and Fisheries Act* and in effect in such year, a sum not exceeding \$10,000 for aid to drainage works, for aid to the local municipal telephone system, or for any of the purposes for which municipal councils are empowered by *The Municipal Act*, with the assent of the electors or otherwise, to make grants or pay out moneys.

Expenditure  
of revenue  
from hunting  
licences

**2.** This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

**3.** This Act may be cited as *The Township of Pelee Act*, 1952.

Short title



## CHAPTER 132

## An Act respecting the City of Sarnia Separate School Board

*Assented to March 17th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS the Board of Trustees of the Roman Catholic Preamble  
Separate Schools for the City of Sarnia, hereinafter  
called the Board, by its petition has represented that it is  
expedient to provide for the election of its members as herein-  
after set forth to hold office for the term hereinafter provided;  
and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.—(1)** The Board shall consist of eight trustees, each of Composition  
whom shall continue in office for two years and until his of Board  
successor has been elected.

(2) Notwithstanding subsection 1, after the first election, Term of  
four of the Board, to be determined by lot at the first meeting office of  
of the Board after such election, shall hold office for one year, first  
and the other four for two years. members

(3) At every election after the first, there shall be elected Subsequent  
four trustees to replace the outgoing four trustees. elections

**2.** The trustees of the Board holding office on the day this Present  
Act comes into force shall continue in office until the 31st day members  
of December, 1952, and their terms of office shall become ter-  
minated on that date.

**3.** Notwithstanding the provisions of *The Separate Schools* Election  
*Act*, an election by general vote, without regard to wards or of trustees  
ward boundaries, by the separate school ratepayers of the City by general  
of Sarnia for the trustees of the Board, shall be held in the vote  
year 1952 at the same time and place and by the same return-  
ing officer or officers and shall be conducted in the same  
manner as the municipal nominations and elections in and for  
the City of Sarnia, and the provisions of *The Municipal Act* Rev. Stat.,  
respecting the time and manner of holding nominations and o. 356  
elections, including the method of receiving nominations for  
  
Rev. Stat.,  
o. 243

office

office and the resignations of persons nominated and declarations of qualification of office, shall apply *mutatis mutandis* to such and all subsequent elections.

## Vacancies

Rev. Stat.,  
c. 356

**4.** Notwithstanding the provisions of *The Separate Schools Act*, the Board may, by appointment, between any two elections, fill any vacancies which may occur in the Board.

Commence-  
ment

**5.** This Act comes into force on the day it receives Royal Assent.

## Short title

**6.** This Act may be cited as *The City of Sarnia Separate School Board Act, 1952*.



## CHAPTER 133

## An Act respecting Sarnia Young Men's and Young Women's Christian Association

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS Sarnia Young Men's and Young Women's Preamble  
Christian Association, hereinafter called the Association, by its petition has prayed that provision be made for exemption from taxation, by municipal by-law, for all purposes except for local improvements; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The council of a municipality may pass by-laws exempt- Tax exemption  
ing from taxes, other than local improvement charges, the land, as defined in *The Assessment Act*, of the Association, Rev. Stat., c. 24  
provided that the land is owned by the Association and occupied by, used solely and carried on for the purposes of the Association, on such conditions as may be set out in the by-law.

**2.** This Act comes into force on the day it receives Royal Commence-  
ment  
Assent.

**3.** This Act may be cited as *The Sarnia Young Men's and* Short title  
*Young Women's Christian Association Act, 1952.*



## CHAPTER 134

**An Act respecting the City of  
Sault Ste Marie**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the City of Sault Ste. Marie by its petition has represented that it is desirable to increase the number of members of The Public Utilities Commission of the City to five members instead of three members as at present provided, and has prayed for special legislation in respect thereof; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** Subject to the provisions of this Act, The Public Utilities Commission of the City of Sault Ste. Marie, heretofore established for the administration of the water and light systems of the City, is hereby continued.
- 2.** The Commission shall consist of five members, four to be appointed by the council of the City and the fifth to be the mayor of the City *ex officio*.
- 3.** Forthwith after the day this Act comes into force, the council of the City shall appoint two new members to the Commission who, with the two present members previously appointed and the mayor *ex officio*, shall be The Public Utilities Commission of the City of Sault Ste. Marie, and the appointed members shall hold office for the terms hereinafter provided and until their successors are appointed.
- 4.—(1)** The two members of the Commission appointed prior to the day this Act comes into force shall hold office until the end of the year 1953, and shall continue in office until their successors are appointed; the two new members of the Commission appointed by the council of the City after the day this Act comes into force shall hold office until the end of the year 1954, and shall continue in office until their successors are appointed.

Idem

(2) Commencing in the year 1954, two commissioners shall thereafter be appointed by the council of the City yearly at the first meeting of the council in January to succeed the two members whose term of office has expired.

Vacancies

(3) A vacancy from any cause in the membership of the Commission shall be filled by the council of the City, and the newly appointed member shall hold office for the balance of the term of the member who vacated the office, and shall continue in office until his successor is appointed.

Salaries of  
Commissioners  
Rev. Stat.,  
c. 320

5. The Commissioners may be paid salaries in accordance with *The Public Utilities Act*.

Application  
of Rev. Stat.,  
c. 320

6. Except as varied by this Act, the provisions of *The Public Utilities Act* shall apply to the Commission and its members.

Repeal

7.—(1) The following are repealed:

1917, c. 87,  
s. 2; Sched. B

(a) Section 2 and Schedule B of *The City of Sault Ste. Marie Act, 1917*.

1918,  
c. 80, s. 3

(b) Section 3 of *The City of Sault Ste. Marie Act, 1918*.

1919,  
c. 105, s. 2

(c) Section 2 of *The City of Sault Ste. Marie Act, 1919*.

1930, c. 98,  
Sched. A,  
cl. a

(d) Clause a of Schedule A of *The City of Sault Ste. Marie Act, 1930*.

By-laws  
void

(2) All by-laws of The Corporation of the City of Sault Ste. Marie heretofore passed with respect to the Commission shall be void.

Commence-  
ment

8. This Act comes into force on the day it receives Royal Assent.

Short title

9. This Act may be cited as *The City of Sault Ste. Marie Act, 1952*.

## CHAPTER 135

# An Act respecting St. Patrick's Home of Ottawa

*Assented to March 17th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS St. Patrick's Home of Ottawa, hereinafter Preamble  
called the Corporation, by its petition has represented that it was incorporated in 1866 by *An Act to incorporate the St. Patrick's Asylum of Ottawa*, being chapter 147 of the Statutes of the Province of Canada, 1866, and that the said Act has been amended by chapter 87 of the Statutes of Ontario, 1888, chapter 108 of the Statutes of Ontario, 1916, chapter 130 of the Statutes of Ontario, 1925, and chapter 96 of the Statutes of Ontario, 1933, by which last-mentioned Act the corporate name was changed to St. Patrick's Home of Ottawa; and that the Corporation was incorporated for the purpose of providing for the maintenance of orphans and aged and infirm persons, and pursuant to such purposes established a home in the City of Ottawa for orphans and aged and infirm persons; and that for some time past the said home, known as St. Patrick's Home of Ottawa, has been operated on behalf of the Corporation by the Grey Sisters of the Immaculate Conception, hereinafter called the Grey Nuns, a corporation without share capital incorporated on the 23rd day of November, 1926, by letters patent under *The Companies Act*; and that the Grey Nuns are by the said letters patent empowered to establish, keep and care for orphans' homes, infants' homes and homes for the aged and infirm; and that the Corporation is the owner of lands in the City of Ottawa and elsewhere and has other property, assets and rights; and that the Council of Management of the Corporation has deemed it advisable and expedient that a transfer, alienation and assignment of all the undertaking, property, assets and rights of the Corporation be made to the Grey Nuns and that the Corporation be dissolved; and whereas the Corporation has prayed for special legislation to confirm, validate and declare legal and binding an agreement between the Corporation and the Grey Nuns embodying the provisions for and terms of such transfer, alienation and assignment; and whereas it is expedient to grant the prayer of the petition;

R.S.O. 1914,  
c. 178

Therefore,

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Agreement  
validated

1. The agreement made between the Corporation and the Grey Nuns dated the 1st day of December, 1951, set out as the Schedule hereto, is hereby ratified and confirmed and declared to be valid and binding on the parties thereto and the said parties are hereby authorized and empowered to enter into the said agreement and to carry out their respective obligations thereunder.

Undertaking  
and  
property  
vested in  
Grey Nuns

2. The whole of the undertaking, property, assets, funds, rights, privileges, choses in action, moneys, credits and effects of the Corporation and all endowments of and gifts, devises, bequests, legacies and grants to the Corporation, whether heretofore or hereafter given or made, and the exclusive right to the use of the name "St. Patrick's Home of Ottawa", are hereby vested in and declared to be the property of the Grey Nuns and all such endowments, gifts, devises, bequests, legacies and grants shall enure to the benefit and advantage of the Grey Nuns, and wherever in any deed of gift or will or other instrument of gift or endowment the Corporation is referred to or intended to be referred to, such reference shall hereafter be deemed to be a reference to the Grey Nuns.

Liability of  
Grey Nuns

3. On and after the day upon which this Act comes into force, all rights of creditors against the property and assets of the Corporation and all liens upon its property, assets and rights shall remain unimpaired and all debts, contracts, liabilities, trusts and duties of the Corporation shall thenceforth attach to the Grey Nuns and may be enforced against it to the extent of the property and assets hereby vested in the Grey Nuns.

Transfer of  
title

Rev. Stat.,  
cc. 336, 197,  
36

4. For the purposes of *The Registry Act*, *The Land Titles Act*, *The Bills of Sale and Chattel Mortgages Act* or any other Act affecting the title to property, it shall be sufficient to cite this Act to show the transfer or transmission of title from the Corporation to the Grey Nuns and the vesting therein of any lands or any interest in lands or personal property.

Grey Nuns  
authorized to  
continue  
operations

5. It is hereby declared that the Grey Nuns are hereby empowered to operate, use and enjoy the undertaking, property, assets, rights, endowments and grants of the Corporation in accordance with the terms of the agreement set out in the Schedule hereto and the intent of the objects of the Corporation as heretofore set out in its Act of Incorporation and amendments thereto.



6. Upon completion of such formal transfers and assignments as the parties may be advised as necessary or expedient to carry out the terms and provisions of the agreement set out in the Schedule hereto, the Corporation shall file with the Provincial Secretary a certificate under the corporate seal that the Corporation has no debts or obligations which have not been assumed by the Grey Nuns, and that all necessary transfers and assignments have been executed and delivered in accordance with the said agreement, and on the expiration of one month from the date of the filing the Corporation shall *ipso facto* be dissolved.

7. Upon the dissolution of the Corporation, the following shall be repealed:

- (a) *An Act to incorporate the St. Patrick's Asylum of Ottawa*, being chapter 147 of the Statutes of the Province of Canada, 1866;
- (b) *An Act to amend the Act incorporating the St. Patrick's Asylum of Ottawa*, being chapter 87 of the Statutes of Ontario, 1888;
- (c) *An Act to further amend The Act incorporating the St. Patrick's Asylum of Ottawa*, being chapter 108 of the Statutes of Ontario, 1916;
- (d) *An Act to further amend the Act incorporating the St. Patrick's Asylum of Ottawa*, being chapter 130 of the Statutes of Ontario, 1925;
- (e) *An Act respecting St. Patrick's Asylum of Ottawa*, being chapter 96 of the Statutes of Ontario, 1933.

8. This Act comes into force on the day it receives Royal Assent.

9. This Act may be cited as *The St. Patrick's Home of Ottawa Act, 1952*.

## SCHEDULE

THIS AGREEMENT dated the 1st day of December, 1951.

BETWEEN:

ST. PATRICK'S HOME OF OTTAWA, hereinafter referred to as "the Corporation",

OF THE FIRST PART,

—and—

THE GREY SISTERS OF THE IMMACULATE CONCEPTION, hereinafter referred to as "the Grey Nuns",

OF THE SECOND PART.

WHEREAS the Corporation was incorporated without share capital by Act of Incorporation of the Province of Canada, being chapter 147, 29 & 30 Victoria (1866) as amended by subsequent Acts of the Legislature of Ontario, with objects and purposes to provide for the maintenance of orphans and aged and infirm persons;

AND WHEREAS pursuant to such objects and purposes the Corporation established a home in the City of Ottawa for orphans and aged and infirm persons;

AND WHEREAS the Grey Nuns are a corporation without share capital, incorporated by Letters Patent granted under *The Companies Act* (Ontario) on 23rd day of November, 1926, with objects and purposes *inter alia*, which include objects and purposes similar to those of the Corporation;

AND WHEREAS for some years past the Grey Nuns have operated the said home in the City of Ottawa for and on behalf of the Corporation;

AND WHEREAS the Corporation has acquired other property and assets since its incorporation;

AND WHEREAS it is deemed expedient that all the undertaking, property, assets, rights, endowments, goods, devises, gifts, legacies and grants now owned by the Corporation or to which it is now or may hereafter become entitled and the benefit and advantage thereof, should be transferred, conveyed and assigned to the Grey Nuns;

AND WHEREAS the Grey Nuns have agreed to accept the said transfer, conveyance and assignment and to continue to operate the said home as hereinafter provided.

NOW THEREFORE THIS AGREEMENT WITNESSETH:

1. That in consideration of the premises and of the sum of One Dollar (\$1.00) now paid by the Grey Nuns to the Corporation (receipt whereof is hereby acknowledged) and subject to the enactment of appropriate confirming legislation by the Legislature of the Province of Ontario, the Corporation agrees to and does hereby transfer, convey, set over and assign unto the Grey Nuns its undertaking and all its property, assets and rights, real and personal, of whatsoever kind and wheresoever situate and whether now owned or to which it may hereafter become entitled, including without limiting the generality of the foregoing all funds, privileges, choses in action, moneys, credits, of the Corporation and all endowments of and gifts, devises, bequests, legacies and grants to the Corporation, whether heretofore or hereafter given or made, and the exclusive right to the use of the name "St. Patrick's Home of Ottawa".

2. The Grey Nuns hereby covenant and agree to assume and pay, as from the said 1st day of December, 1951, all the debts and obligations of the Corporation including, without limiting the generality of the foregoing, all costs and expenses connected with or incidental to these presents and the obtaining of the legislation aforesaid and of the winding-up and dissolution of the Corporation, and to indemnify and save harmless the Corporation and its Council of Management and members in respect thereof.

3. The Grey Nuns further covenant and agree to continue to operate the said St. Patrick's Home for the purposes for which it was established consistent with the corporate powers of the Grey Nuns.

4. The parties hereto shall execute all such further deeds, agreements and documents which may be necessary or desirable for carrying out and completing the true intent of these presents and the vesting in the Grey Nuns of all the undertaking, property, assets and rights of the Corporation as above set out.

5. On and after the date of this agreement and until the passing of the said legislation the Grey Nuns shall be deemed to have operated the said St. Patrick's Home of Ottawa under the terms hereof.

6. The parties hereto shall co-operate and endeavour to obtain legislation at the next Session of the Legislature of the Province of Ontario confirming and validating this Agreement and embodying such of the terms and provisions hereof and such other provisions as may be necessary to give full effect to the true intent and meaning of these presents.

7. In event of such legislation not being obtained within one year from the date hereof, this Agreement shall be null and void.

8. The Corporation agrees that upon the enactment of confirming legislation as aforesaid it will take such steps as may be necessary to surrender its Act of Incorporation.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals under the hands of their proper officers.

SIGNED, SEALED AND DELIVERED

ST. PATRICK'S HOME OF OTTAWA

P. J. MACDONALD  
*President*  
(Seal)

W. G. MOORE  
*Treasurer*

THE GREY SISTERS OF THE IM-  
MACULATE CONCEPTION

MOTHER ST. RICHARD  
*President*  
(Seal)

SISTER MARGARET OF S. H.  
*Secretary*



## CHAPTER 136

## An Act respecting the City of Stratford

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the City of Stratford Preamble  
by its petition has represented that at the last municipal election held in the City of Stratford the electors voted by a large majority in favour of the establishment of a bus transportation system within the limits of the City of Stratford and also voted, by a large majority, that the said system be managed and controlled by The Public Utilities Commission of the City of Stratford; and whereas the Corporation has prayed for special legislation in respect thereof; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the City of Stratford may establish, Establishment of bus system  
by purchase or otherwise, a municipally-operated bus transportation system in Stratford and may own real and personal property for use in connection therewith.

2. Subject to the approval of the Ontario Municipal Debentures  
Board, the Corporation of the City of Stratford may issue debentures, without the assent of the electors, for the purposes mentioned in section 1.

3. The Corporation of the City of Stratford may, by Operation by Commission  
by-law, entrust the construction of the work in connection with the transportation system and the control and management of the system to The Public Utilities Commission of the City of Stratford.

4. This Act comes into force on the day it receives Commencement  
Royal Assent.

5. This Act may be cited as *The City of Stratford Act, 1952*. Short title





## CHAPTER 137

**An Act respecting the Synagogue and Jewish Community Centre of Ottawa**

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS the Synagogue and Jewish Community Centre of Ottawa, a corporation incorporated under *The Companies Act*, by its petition has represented that it is composed of a Synagogue and facilities for educational and recreational community activities for the Jewish people and, more particularly, the younger Jewish people of Ottawa, and has prayed that an Act be passed to provide for exemption from taxation, by municipal by-law, for all purposes except for local improvements; and whereas it is expedient to grant the prayer of the petition; Preamble  
Rev. Stat.,  
c. 59

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The council of the City of Ottawa may pass by-laws exempting from taxes, other than local improvement charges, the land, as defined in *The Assessment Act*, of the Synagogue and Jewish Community Centre of Ottawa in the City of Ottawa; provided that the land is owned by the Centre and occupied by, used solely and carried on for the purposes of the Centre, on such conditions as may be set out in the by-law; Tax  
exemption  
Rev. Stat.,  
c. 24

**2.** This Act may be cited as *The Synagogue and Jewish Community Centre of Ottawa Act, 1952*. Short title



## CHAPTER 138

# An Act respecting the Town of Timmins Separate School Board

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS the Board of Trustees of the Roman Catholic Preamble  
Separate Schools for the Town of Timmins, hereinafter  
called the Board, by its petition has represented that it is  
expedient to provide for the election of its members as herein-  
after set forth to hold office for the terms hereinafter provided;  
and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.**—(1) The Board shall consist of six trustees, each of Composition  
of Board  
whom shall continue in office for three years and until his  
successor has been elected.

(2) Notwithstanding subsection 1, after the first election, Term of  
office  
of first  
members  
two of the Board to be determined by vote at the first meeting  
of the Board after such election shall hold office for one year;  
two of the Board to be determined by vote at the first meeting  
of the Board after such election shall hold office for two years;  
and the other two shall hold office for three years.

(3) At every election after the first, there shall be elected Subsequent  
elections  
two trustees to replace the outgoing two trustees.

**2.** The trustees of the Board holding office on the day Present  
members  
this Act comes into force shall continue in office until the  
31st day of December, 1952, and their terms of office shall  
become terminated on that date.

**3.** Notwithstanding the provisions of *The Separate Schools* Election  
of trustees  
by general  
vote  
Rev. Stat.,  
c. 356  
*Act*, an election by general vote, by the separate school  
ratepayers of the Town of Timmins for the trustees of the  
Board, shall be held in the year 1952 at the same time and  
place and by the same returning officer or officers and shall be  
conducted in the same manner as the municipal nominations  
and elections in and for the Town of Timmins, and the provi-

Rev. Stat.,  
c. 243

sions of *The Municipal Act* respecting the time and manner of holding nominations and elections, including the method of receiving nominations for office and the resignations of persons nominated and declarations of qualification of office, shall apply *mutatis mutandis* to such and all subsequent elections.

Vacancies

4. Notwithstanding the provisions of *The Separate Schools Act*, the Board may, by appointment, between any two elections, fill any vacancies which may occur in the Board.

Commence-  
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Town of Timmins Separate School Board Act, 1952*.

## CHAPTER 139

## An Act respecting the City of Toronto

*Assented to April 10th, 1952**Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the City of Toronto by Preamble  
its petition has prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is expedient  
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** Subject to the approval of the Department of Highways, Requiring trucks and buses to use curb lanes  
the council of the Corporation may pass by-laws for requiring  
buses and heavy trucks as defined in the by-law to use the  
lane nearest the curb or right side on any highway or part of a  
highway divided into clearly marked lanes and designated in  
the by-law, for requiring the drivers of such buses and heavy  
trucks, except when overtaking and passing another vehicle  
or an obstruction, or in preparation for a left turn, to obey  
the direction on signs erected to indicate such designation  
and for imposing and recovering penalties for contraventions  
of such by-law in the same manner and to the same extent  
as for a by-law passed under *The Municipal Act* for regulating Rev. Stat., c. 243  
traffic approved by the Department of Highways.

**2.** The council of the Corporation may undertake as a Widening pavements or sidewalks as local improvement  
local improvement work under *The Local Improvement Act*  
the widening of a pavement on a street and the widening of a  
sidewalk in, upon or along a street and may levy the cost  
thereof on the properties fronting or abutting on the work  
in accordance with *The Local Improvement Act*, provided Rev. Stat., c. 215  
that there shall be included in the Corporation's portion of the  
cost so much of the cost of the work as is incurred in the  
construction or reconstruction of that part of the pavement  
on a street that exceeds a width of twenty-eight feet.

**3.—(1)** The council of the Corporation may by by-law Independent parking authority authorized  
establish an authority to be known as "The Parking Authority  
of Toronto", hereinafter called the parking authority, and  
may entrust to the parking authority the construction, main-  
tenance, control, operation and management of municipal  
parking facilities within the City.

Incorporation and members

(2) The parking authority shall be a public commission and a body politic and corporate and shall consist of three members, each of whom shall be a resident and ratepayer of Toronto and shall be appointed by the council on the nomination of the board of control, and no appointment shall be made by such council in the absence of such nomination except on the affirmative vote of at least two-thirds of the members of council present and voting, and the members so appointed shall hold office for three years and until their successors are appointed.

Council members not qualified

(3) No member of the council shall be eligible to be appointed a member of the parking authority.

Vacancies

(4) Where a vacancy in the parking authority occurs from any cause, the council shall appoint immediately a person, qualified as set out in this section, to be a member, who shall hold office for the remainder of the term for which his predecessor was appointed.

Re-appointment of members

(5) Any member shall be eligible for re-appointment on the expiration of his term of office.

Salary of members

(6) The members may be paid such salary or other remuneration as may be fixed by by-law of the council.

Powers of City transferred to authority

(7) Upon the passing of the by-law establishing the parking authority, all the powers, rights, authorities and privileges conferred on the Corporation by any general or special Act with respect to the construction, maintenance, operation and management of municipal parking facilities by the City shall be exercised by the parking authority and not by the Corporation, but subject to such limitations as the by-law may provide.

Power to fix rates

(8) The parking authority shall have the power and duty to fix rates and charges for the use of any municipal parking facility or part thereof so that the revenue of the authority shall be sufficient to make all parking facilities under its control and management self-sustaining, after providing for such maintenance, depreciation and debt charges as it shall think proper.

Budget and expenditures

(9) The parking authority shall submit to the board of control an annual budget of its estimated revenues and expenses and make requisitions upon the council for all sums of money required to carry out its powers and duties, but nothing herein contained shall divest the council of its authority with reference to providing the money for the purposes of the parking authority, and when money is so provided by the council, the treasurer of the municipality shall upon the certificate of the parking authority, pay out such money.



(10) Immediately after the end of each year, the parking authority shall submit its annual report to council including a complete audited and certified financial statement of its affairs, with revenue and expense account, balance sheet and profit and loss statement. <sup>Annual report</sup>

(11) The City auditor shall be the auditor of the parking authority and all books, documents, transactions, minutes and accounts of the parking authority shall, at all times, be open to his inspection. <sup>Audit</sup>

(12) The powers, rights, authority and privilege of the council to raise money by the issue of debentures or otherwise for the acquisition of lands or construction of buildings shall not be transferred to the parking authority. <sup>Debentures</sup>

(13) The council of the Corporation may by by-law amend or repeal a by-law passed under the authority of subsection 1, and upon the passing of a by-law to repeal, the parking authority shall cease to exist and the whole of its undertaking, property, documents and other assets shall be and become vested in the Corporation and be subject to the control and management of the council, and for such purpose it shall not be requisite that any conveyance, transfer or assignment be executed or made. <sup>Abolition of authority</sup>

4. The council of the Corporation may make a grant of \$225,000 to The Jewish Home for the Aged of Toronto to be used in the construction of a new Jewish home for the aged in the Township of North York, in the County of York, and may pass a by-law for the issue of debentures to raise such sum of \$225,000, or any portion thereof, without the assent of the electors qualified to vote on money by-laws. <sup>Grant to The Jewish Home for the Aged of Toronto authorized</sup>

5. This Act comes into force on the day it receives Royal Assent. <sup>Commencement</sup>

6. This Act may be cited as *The City of Toronto Act, 1952*. <sup>Short title</sup>



## CHAPTER 140

## An Act respecting the Township of Toronto

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS The Corporation of the Township of Toronto Preamble  
by its petition has prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** On the day on which the Board of Education established Township school area established  
by this Act holds its first meeting, hereinafter referred to as  
the commencement day, those parts of the Township of  
Toronto that are included in Public School Sections Nos.  
1, 2, 4, 5, 6, 7, 8, 22 and 23 of the Township are hereby esta-  
blished as a township school area.

**2.** On the commencement day The South Peel District Dissolution of school boards  
High School Board and the public school boards of the said  
Public School Sections Nos. 1, 2, 4, 5, 6, 7, 8, 22 and 23  
are hereby dissolved, and all their powers and duties shall be  
performed by one board of education to be known as The  
South Peel Board of Education which shall be a corporation  
by that name, and is hereinafter referred to as the Board of Board of Education established  
Education, and which shall have all the powers and perform  
all the duties which by this or any other Act are conferred or  
imposed upon a public school board, a high school board or a  
board of education.

**3.—(1)** The powers and duties of the Board of Education Port Credit public schools  
shall not extend to the public schools of the Village of Port  
Credit unless the council of The Corporation of the Village  
of Port Credit passes a resolution requesting the inclusion of  
the Village in the said township school area, in which case  
the council of The Corporation of the Township of Toronto  
shall pass a by-law to include the Village in such township  
school area

Dissolution  
of Port  
Credit  
Public  
School  
Board

(2) The day of the inclusion of the Village of Port Credit in the said township school area shall be fixed in such by-law and on such day The Port Credit Public School Board is hereby dissolved, and all the real and personal property that is vested in such Board shall become vested in the Board of Education, and all debts, contracts and agreements for which such Board is liable shall become obligations of the Board of Education.

Adjustment  
of claims

(3) All rights and claims between the Village and the parts of the Township within the said township school area shall be valued, adjusted and determined in the manner provided in section 17 of *The Public Schools Act*.

Rev. Stat.,  
c. 316

Composition  
of Board  
of Education

4. The Board of Education shall be composed of the following members: two members shall be elected in each ward or part of a ward of the Township that is within the said township school area, except in the part of Ward 5 that is within such area, which part of Ward 5 shall be deemed to be part of Ward 3 for the purpose of the election of such members; four members shall be elected in the Village of Port Credit; one member may be appointed by the council of The Corporation of the County of Peel, and one member may be appointed by a separate school board in the manner provided in section 23 of *The High Schools Act*.

Rev. Stat.,  
c. 165

First  
election date

5.—(1) The first election of members of the Board of Education shall be held at the earliest possible date after this Act comes into force.

Application  
of Rev. Stat.,  
c. 316

(2) The provisions of *The Public Schools Act* respecting qualifications of urban school trustees and the election of such trustees by ballot shall apply to such first election.

Qualifica-  
tion of first  
elected  
members

(3) No person shall be disqualified to be nominated and elected as a member of the Board of Education at the first election of members thereof by reason of being at that time a public or high school trustee.

Qualifica-  
tion of  
appointed  
members

6. The provisions of *The High Schools Act* respecting qualifications of trustees shall apply to the appointed members of the Board of Education.

Term of  
office of  
members  
first  
elected

7. In each of Wards 1, 2 and 3 of the Township, the two candidates receiving at the first election the highest number of votes shall be elected, and as between themselves the candidate having the larger number of votes shall continue in office until the 31st day of December, 1953, and the other until the 31st day of December, 1952, and until their successors are elected and the new board is organized.

8. At the time of holding the municipal elections for the year 1953 and thereafter the elective members shall be elected in the manner provided in *The Boards of Education Act* except that the qualifications of such members shall be those of urban school trustees as provided in *The Public Schools Act*.

Rev. Stat.,  
c. 38  
to apply to  
elections

Rev. Stat.,  
c. 316

9. The clerk of the Township shall call and until a chairman is elected shall preside at the first meeting of the Board of Education which shall be held on a day to be fixed by such clerk, but not later than the 28th day of June, 1952, at the hour of 2 o'clock in the afternoon at the township hall, at which the members of the Board of Education shall elect a chairman and secretary-treasurer or a secretary and a treasurer.

First  
meeting  
of Board  
of Education

10. On the commencement day all the real and personal property that is vested in The South Peel District High School Board and the public school boards of the said Public School Sections Nos. 1, 2, 4, 5, 6, 7, 8, 22 and 23 shall become vested in the Board of Education, and all debts, contracts and agreements for which the said boards are liable shall become obligations of the Board of Education.

Assets and  
liabilities  
of former  
boards

11. While the Village of Port Credit remains outside the said township school area, the members of the Board of Education elected in the Village of Port Credit shall not vote or otherwise take part in any of the proceedings of the Board of Education exclusively affecting the public schools.

Port Credit  
members not  
to vote on  
public school  
questions

12. All rights and claims between the respective parts of the Township comprising the said Sections on the commencement day shall be valued, adjusted and determined in the manner provided in section 17 of *The Public Schools Act*.

Adjustment  
of claims

Rev. Stat.,  
c. 316

13. All the provisions of *The Boards of Education Act*, *The Public Schools Act* and *The High Schools Act* that are not inconsistent with this Act shall apply to the Board of Education established by this Act in the same manner and to the same extent as if the Board of Education had been established pursuant to *The Boards of Education Act*.

Application  
of Rev. Stat.,  
cc. 38, 316,  
165

14. This Act comes into force on the day it receives Royal Assent.

Commence-  
ment

15. This Act may be cited as *The Township of Toronto Act, 1952*.

Short title





## CHAPTER 141

## An Act to incorporate the Trustees of Massey Hall

*Assented to April 10th, 1952*  
*Session Prorogued April 10th, 1952*

**W**HEREAS the trustees of Massey Hall by their petition Preamble  
have represented that the late Hart Almerrin Massey  
of the City of Toronto, by trust deed dated the 5th day of  
June, 1894, granted to three trustees therein appointed the  
lands and premises in the City of Toronto then and since  
known as "Massey Music Hall" or shortly as "Massey Hall"  
to be used for the purposes set out in the trust deed; and that  
by section 12 of *The City of Toronto Act, 1909* it was provided 1909, c.125  
that the council of the City of Toronto might annually appoint  
the Mayor for the time being or a member of the Board of  
Control to represent the City on the board of trustees under  
the trust deed; and that subsequent to the trust deed certain  
adjoining lands have been granted and various monetary  
donations have been made by others in support of the trusts  
created by the trust deed; and whereas to ensure that the  
intentions of Hart Almerrin Massey as to use of the said  
premises will continue to be effectively fulfilled, the Right  
Honourable Vincent Massey, C.H., Frederick R. MacKelcan,  
Q.C., Hugh Hutchinson Lawson, and Allan A. Lamport, the  
Mayor of the City of Toronto for the time being, presently the  
trustees of Massey Hall, have prayed that an Act be passed to  
incorporate the Trustees of Massey Hall as a body corporate  
and politic for the purposes and with the powers hereinafter  
provided; and whereas it is expedient to grant the prayer of  
the petition;

Therefore, Her Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

### 1. In this Act,

Interpre-  
tation

- (a) "appointed members of the Board" means the persons designated in subsection 1 of section 5 and their successors;
- (b) "Board" means the Board of Governors of the Corporation;
- (c) "Corporation" means the Trustees of Massey Hall.

Incorporation

**2.** The Right Honourable Vincent Massey, C.H., Frederick R. MacKelcan, Q.C., Hugh Hutchinson Lawson, and Lionel Vincent Massey, and their successors as appointed members of the Board, and Allan A. Lamport and his successor for the time being and from time to time as Mayor of the City of Toronto, are hereby constituted a body corporate and politic without share capital under the name of the Trustees of Massey Hall.

Objects of Corporation

**3.** The objects of the Corporation shall be to encourage or assist the musical, educational or industrial advancement of the people, the promotion of the cause of temperance, the cultivation of good citizenship and patriotism and the encouragement of philanthropic or religious work through public and other meetings or by other means which, in the judgment of the Board, may be consistent with any of the said purposes.

Board of Governors

**4.** The affairs of the Corporation shall be managed and its powers may be exercised by a Board of Governors to consist of five persons of whom four shall be appointed members of the Board and one shall be the Mayor of the City of Toronto for the time being *ex officio*.

First appointed members

**5.—(1)** The first appointed members of the Board shall be the Right Honourable Vincent Massey, C.H., Frederick R. MacKelcan, Q.C., Hugh Hutchinson Lawson and Lionel Vincent Massey.

Resignation

**(2)** An appointed member of the Board may resign at any time.

Vacancies

**(3)** If an appointed member of the Board dies or resigns or becomes incapable of acting as a member of the Board, a successor shall be appointed by the remaining members of the Board if they constitute a quorum under the by-laws of the Corporation, but if the remaining members of the Board do not constitute a quorum under the by-laws or if they fail to appoint a successor within a period of six months, the successor shall be appointed by the Chief Justice of Ontario upon the recommendation of any member of the Board or the Public Trustee.

Chairman

**6.—(1)** The Board at its first meeting after the day this Act comes into force and from time to time thereafter as may be required shall elect from among the appointed members of the Board a chairman of the Corporation who shall hold office until his successor is duly elected.

Idem

**(2)** Until the first meeting of the Board held after the day this Act comes into force Frederick R. MacKelcan, Q.C., shall be chairman of the Corporation.

7. Meetings of the Board may be held at such places and times as may be determined in accordance with the by-laws of the Corporation, provided that an annual meeting of the Board shall be held not later than the 1st day of November in each year. <sup>Meetings of Board</sup>

8. The Board may make by-laws not contrary to the provisions of this Act to regulate the conduct and administration of the affairs of the Corporation in all things and particularly, without limiting the foregoing general power, <sup>By-laws</sup>

- (a) to regulate the calling of and the procedure at meetings of the Board, and to regulate the time and place for the holding of such meetings;
- (b) to fix the quorum for the Board;
- (c) to regulate the appointment, functions, powers, duties, remuneration and removal of officers, servants and agents of the Corporation.

9.—(1) The chairman of the Corporation and members of the Board shall not be paid any remuneration nor shall any part of the income or capital of the Corporation be payable to or be otherwise available for their personal benefit, but if the by-laws of the Corporation so provide they may be reimbursed for any reasonable expenses actually incurred by them in the performance of their duties. <sup>Remuneration and expenses</sup>

(2) Section 94 of *The Companies Act* shall apply *mutatis mutandis* to the Corporation and to the members of the Board in the same manner and to the same effect as though the Corporation were a company incorporated under Part II of that Act and the members of the Board were directors thereof. <sup>Application of Rev. Stat., c. 59, s. 94</sup>

10.—(1) The lands and premises in the City of Toronto described in the Schedule hereto upon which Massey Hall is erected or which are appurtenant thereto and all other real and personal property constituting, immediately prior to the day this Act comes into force, assets of the trust created by the late Hart Almerrin Massey in respect of Massey Hall shall be vested in the Corporation. <sup>Trust property vested in Corporation</sup>

(2) The Corporation shall assume and be liable for all debts, commitments and obligations, if any, of such trust or of the trustees thereof outstanding on the day this Act comes into force. <sup>Liabilities</sup>

Powers of  
Corporation

**11.** The Corporation may,

- (a) purchase, lease or otherwise acquire and hold any real property or any estate or interest therein deemed necessary for the purposes of the Corporation;
- (b) take by gift, donation, devise or bequest and hold any real or personal property or any estate or interest therein upon such trusts, if any, as may be imposed or created by the donor;
- (c) construct, maintain and alter any buildings and works deemed necessary or convenient for the purposes of the Corporation;
- (d) sell, lease or otherwise dispose of the whole or any part of its property or any estate or interest therein when, in the opinion of the Board, the same is no longer required or suitable for the purposes of the Corporation;
- (e) permit others to use the premises or facilities of the Corporation or any part thereof for entertainments, meetings or other purposes upon such terms and conditions as the Board may see fit;
- (f) itself or in association with others present and hold entertainments and meetings, and enter into such commitments and obligations and incur such expenses and make such advances in that connection as the Board may consider desirable;
- (g) employ such officers, servants and agents as the Board may consider necessary or desirable;
- (h) acquire and hold shares and securities in any other company or corporation having objects altogether or in part similar to those of the Corporation or carry on any business capable of being conducted so as directly or indirectly to benefit the Corporation.

Sale and dis-  
tribution  
of assets

**12.** If the revenue or funds of or available to the Corporation are not sufficient, in the opinion of the Board, for the proper maintenance and use of the lands and premises, generally known as Massey Hall, described in the Schedule hereto, or of any premises acquired in addition thereto or in substitution therefor, the Corporation shall sell such lands and premises, and the assets of the Corporation, other than any assets held by it on a separate trust created in accordance with clause *b* of section 11, after provision for its liabilities shall be applied and distributed to and among such charitable institutions or enterprises as the Board may determine, provided that no sale of such lands and premises shall be made without the unanimous consent of the members of the Board.



**13.** If at any time the Corporation sells Massey Hall as *Idem* no longer being suitable for the objects of the Corporation and the Board determines that it is not advisable or feasible to acquire new premises, the assets of the Corporation, other than any assets held by it on a separate trust created in accordance with clause *b* of section 11, after provision for its liabilities shall be applied and distributed to and among such charitable institutions or enterprises as the Board may determine.

**14.** The Corporation may pay gratuities, bonuses and allowances to retired or superannuated officers or servants of the Corporation either out of the general funds of the Corporation or out of any special funds set aside for that purpose and may make payments towards insurance, pension, retirement, sickness and other funds or plans calculated to benefit the officers and employees of the Corporation or their dependants or connections, but no payment shall be made to or for the benefit of the chairman or members of the Board. <sup>Payment, etc., for staff</sup>

**15.** The funds of the Corporation may be invested as the Board may determine. <sup>Investments</sup>

**16.** The Board shall appoint annually one or more auditors who shall hold office until the next annual meeting of the Board and the auditor or auditors shall annually examine the accounts of the Corporation and shall report thereon to the Board. <sup>Audit</sup>

**17.** The Corporation shall have power to do all such things as are incidental or conducive to the attainment of its objects. <sup>Incidental powers</sup>

**18.** The Corporation shall be subject to the provisions of *The Charities Accounting Act* as if the Corporation were a trustee coming within the provisions of subsection 1 of section 1 of that Act, except that no notice need be given to the Public Trustee as required by that section. <sup>Application of Rev. Stat., c. 50</sup>

**19.** So long as the lands described in the Schedule hereto are used for the purposes set out in section 3 of this Act and the other provisions of this Act are observed and section 12 of *The City of Toronto Act, 1909* remains unrepealed, the tax exemption thereby granted shall continue to apply notwithstanding that the conditions therein contained cannot be fulfilled by reason of the enactment of this Act. <sup>Tax exemption 1909, c. 125</sup>

**20.** This Act comes into force on the day it receives Royal Assent. <sup>Commencement</sup>

**21.** This Act may be cited as *The Trustees of Massey Hall Act, 1952*. <sup>Short title</sup>

## SCHEDULE

## PARCEL ONE

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Toronto in the County of York and Province of Ontario composed of Lots Numbers Eight, Nine and Ten on the west side of Victoria Street, as laid down on Plan 22-A filed in the Registry Office for said City, said parcel having a frontage of one hundred and thirty-one feet, more or less, on the west side of Victoria Street by a depth of one hundred and twenty-two feet more or less to a lane on the south side of Shuter Street.

## PARCEL TWO

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the County of York and Province of Ontario, being composed of a part of Lot Number 7 on the west side of Victoria Street, according to a Plan registered as Number 22-A in the Registry Office for the City of Toronto, and now on file in the Registry Office for the Registry Division of Toronto, and which said parcel of land is more particularly described as follows:

COMMENCING at a point in the westerly limit of Victoria Street, where the same would be intersected by the production easterly of the southerly face of the southerly wall of the brick building standing in 1932 mainly upon the northerly part of the said Lot, which point is distant one hundred and fifty-four feet eight inches ( $154'8''$ ), more or less, measured southerly along the said westerly limit of Victoria Street from the southerly limit of Shuter Street; THENCE westerly to and along the said southerly face of wall, fifty-four feet one and one-quarter inches ( $54'1\frac{1}{4}''$ ) to the southwesterly angle of the said building, being to a point in the westerly limit of the said Lot, which point is distant one hundred and fifty-five feet eleven and one-quarter inches ( $155'11\frac{1}{4}''$ ) measured southerly, parallel to said limit of Victoria Street from the said southerly limit of Shuter Street; THENCE northerly along the said westerly limit of Lot Number 7, being along the westerly face of the westerly wall of the said building, twenty-two feet five and three-quarter inches ( $22'5\frac{3}{4}''$ ) to the northerly limit of said Lot Number 7 as represented in part prior to the erection of the said building and the erection of the building known as Massey Hall, by the site of an old fence; THENCE easterly along the said limit represented as aforesaid, and still following the said limit along the site of the line between the northerly wall of the building formerly standing on the lands herein described and the southerly wall of the building formerly standing on the lands to the north thereof, in all, a distance of fifty-four feet one inch ( $54'1''$ ), more or less, to the westerly limit of Victoria Street aforesaid; THENCE southerly along the last mentioned limit twenty-two feet ten and one-quarter inches ( $22'10\frac{1}{4}''$ ), more or less, to the point of commencement.

## PARCEL THREE

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Toronto in the County of York and Province of Ontario, being composed of a part of Lot Number 7 on the west side of Victoria Street according to a Plan filed in the Registry Office for the Registry Division of Toronto as Number 22-A and which said parcel of land is more particularly described as follows:

COMMENCING at a point in the westerly limit of Victoria Street, where the same would be intersected by a line drawn parallel to the southerly limit of the said Lot Number 7 as represented by the site of the northerly face of the northerly wall of a former old brick building, and distant twenty-seven feet ( $27'$ ) northerly therefrom measured at right angles thereto, the said point being distant four hundred and five feet one inch ( $405'1''$ ), more or less, measured northerly from the northerly limit of



Queen Street East along the said westerly limit of Victoria Street; THENCE westerly along the said parallel line a distance of fifty-four feet two and one-quarter inches ( $54'2\frac{1}{4}"$ ), more or less, to the point of intersection with the westerly limit of the said Lot, the said point of intersection being distant four hundred and four feet and one-quarter inch ( $404'0\frac{1}{4}"$ ), more or less, measured northerly from the said northerly limit of Queen Street East on the course of the westerly limit of Victoria Street; THENCE northerly along said westerly limit of Lot Number 7 a distance of four feet ten and one-half inches ( $4'10\frac{1}{2}"$ ), more or less, to the point of intersection thereof with the southwesterly angle of the brick building standing in 1932 and still standing mainly upon the northerly part of said Lot Number 7 which said point of intersection is distant one hundred and fifty-five feet eleven and one-quarter inches ( $155'11\frac{1}{4}"$ ) measured southerly parallel to the said westerly limit of Victoria Street from the southerly limit of Shuter Street; THENCE easterly along the southerly face of the southerly wall of the last mentioned building and the production thereof easterly in all a distance of fifty-four feet two inches ( $54'2"$ ), more or less, to the said westerly limit of Victoria Street; THENCE southerly along the last mentioned limit a distance of four feet eight and one-half inches ( $4'8\frac{1}{2}"$ ), more or less, to the said point of commencement.

#### PARCEL FOUR

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Toronto in the County of York and Province of Ontario, being composed of part of Park Lot 8 Concession I from the Bay of the Township of York, and now in the City of Toronto aforesaid, the boundaries of the said parcel of land being described as follows:

COMMENCING at a point in the westerly limit of Lot Number 7 on the west side of Victoria Street according to a Plan filed in the Registry Office for the Registry Division of Toronto as Number 22-A, where the same would be intersected by a line drawn parallel to the southerly limit of the said Lot Number 7 as represented by the site of the northerly face of the northerly wall of a former old brick building and distant twenty-seven feet ( $27'$ ) northerly therefrom measured at right angles thereto; the said point of commencement being distant four hundred and four feet and one-quarter of an inch ( $404'0\frac{1}{4}"$ ), more or less, measured northerly from the northerly limit of Queen Street East on the course of the westerly limit of Victoria Street, and being also distant fifty-four feet two and one-quarter inches ( $54'2\frac{1}{4}"$ ), more or less, measured westerly along the said parallel line from the said westerly limit of Victoria Street; THENCE westerly along the production of the said parallel line sixty-eight feet eight and one-half inches ( $68'8\frac{1}{2}"$ ), more or less, to the easterly limit of a lane, sometimes referred to as the extension southerly of St. Enoch's Square, being to a point therein distant four hundred and two feet eight inches ( $402'8"$ ), more or less, measured northerly from the said northerly limit of Queen Street East on the course of the said westerly limit of Victoria Street; THENCE northerly along the said easterly limit of lane twenty-nine feet eight inches ( $29'8"$ ), more or less, to the point of intersection with the production westerly of the southerly limit of Lot Number 8 on the west side of Victoria Street according to the said Plan 22-A; THENCE easterly to and along the said southerly limit of Lot Number 8 as represented by the former old line of occupation, in all a distance of sixty-eight feet four and three-quarters inches ( $68'4\frac{3}{4}"$ ), more or less, to the said westerly limit of the said Lot Number 7; THENCE southerly along the last mentioned limit twenty-seven feet four and one-quarter inches ( $27'4\frac{1}{4}"$ ), more or less, to the point of commencement.

#### PARCEL FIVE

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Toronto in the County of York and Province of Ontario, being composed of part of Lot Number 8 on the west side of Victoria Street according to a Plan filed in the Registry Office for the Registry Division of Toronto as Number 22-A, the boundaries of the said parcel of land being described as follows:

COMMENCING

COMMENCING at a point in the southerly limit of the said Lot where the same is intersected by the westerly face of the westerly wall of the brick building standing in November 1947 mainly upon the northerly part of Lot Number 7 on the west side of Victoria Street according to the said Plan, the said point of intersection being distant fifty-four feet one and one-half inches ( $54'1\frac{1}{2}"$ ), more or less, measured westerly along the southerly limit of the said Lot Number 8 from the westerly limit of Victoria Street, and being also distant four hundred and thirty-one feet four and one-half inches ( $431'4\frac{1}{2}"$ ), more or less, northerly from the northerly limit of Queen Street East measured on the course of the said limit of Victoria Street; THENCE northerly along the said westerly face of wall seven and one-half inches ( $7\frac{1}{2}"$ ), more or less, to the southerly face of the southerly wall of the brick building known at the date hereinbefore last mentioned as Massey Music Hall; THENCE westerly along the last mentioned face of wall sixty-six feet one and one-half inches ( $66'1\frac{1}{2}"$ ), more or less, to the southwesterly corner of the said building, being to a point in the said southerly limit of Lot Number 8; THENCE easterly along the last mentioned limit, as represented by the former old line of occupation, sixty-six feet one and one-half inches ( $66'1\frac{1}{2}"$ ), more or less, to the point of commencement.

## CHAPTER 142

# An Act respecting the Young Men's Christian Association of Belleville

*Assented to April 10th, 1952  
Session Prorogued April 10th, 1952*

**W**HEREAS the Young Men's Christian Association of Belleville by its petition has represented that it was incorporated under *An Act to incorporate the Young Men's Christian Association of Belleville*, being chapter 142 of the Statutes of Ontario, 1911; and that the objects of the Association are the improving of the spiritual, moral, social, educational and physical life of its members and others; and that by the said Act the lands of the Association are exempt in certain respects from taxation; and that it is desirable that provision be made for exemption from taxation, by municipal by-law, for all purposes except for local improvements; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Subsection 1 of section 7 of the said *An Act to incorporate the Young Men's Christian Association of Belleville* is amended by striking out the words "and, to the extent of one hundred thousand dollars in value, the same shall be exempt from taxation for all purposes except for School purposes and Local Improvements and except as provided by subsection (2)" in the third, fourth, fifth, sixth and seventh lines.

(2) Subsection 2 of the said section 7 is repealed and the following substituted therefor:

(2) The council of a municipality may pass by-laws exempting from taxes, other than local improvement charges, the land, as defined in *The Assessment Act*, of the Association, provided that the land is owned by the Association and occupied by, used solely and carried on for the purposes of the Association, on such conditions as may be set out in the by-law.

**2.** This Act comes into force on the day it receives Royal Assent.

**3.** This Act may be cited as *The Young Men's Christian Association of Belleville Act, 1952*.

Preamble

1911,  
c. 142, s. 7,  
subs. 1,  
amended1911,  
c. 142, s. 7,  
subs. 2,  
re-enactedTax  
Exemption  
Rev. Stat.,  
c. 24Commence-  
ment

Short title



# INDEX

## First Session, Twenty-Fourth Legislature

### 1 Elizabeth II, 1952

---

#### A

	PAGE
ADMINISTRATION OF JUSTICE EXPENSES	
jail surgeon, fees.....	1
AGED PERSONS	
<i>See</i> ELDERLY PERSONS HOUSING.	
HOMES FOR THE AGED.	
AGRICULTURE	
<i>See</i> AGRICULTURAL COLLEGE.	
DAIRY PRODUCTS.	
EDIBLE OIL PRODUCTS.	
HEALTH OF LIVE STOCK.	
JUNIOR FARMER ESTABLISHMENT.	
MILK AND CREAM.	
MILK CONTROL.	
PLANT DISEASES.	
WARBLE FLY CONTROL.	
AGRICULTURAL COLLEGE	
Advisory Board, composition.....	3
annual report.....	3, 4
commencement of Act.....	4
ALLOWANCES	
<i>See</i> BLIND PERSONS' ALLOWANCES.	
DISABLED PERSONS' ALLOWANCES.	
MOTHERS' ALLOWANCES.	
OLD AGE ASSISTANCE.	
ASSESSMENT	
ACREAGE TAX	
effect of tax sale or registration on land subject to.....	8
APPEALS	
extension of time for hearing.....	11, 12
ASSESSMENT NOTICES	
delivery.....	11
ASSESSMENT ROLL	
additions re altered or enlarged buildings.....	11
provincial electors, entry on, repeal.....	7
BUSINESS ASSESSMENT	
cold storage plants.....	6
making, in taxation year.....	12, 13
utilities.....	6
COLLECTOR'S ROLL	
additions re altered or enlarged buildings.....	11
COMMENCEMENT OF ACT.....	14
COURT OF REVISION	
closing, extension of time.....	11
county, jurisdiction.....	12
school support, authority to hear appeals re.....	7
time for determination.....	7

ASSESSMENT—*Continued*

	PAGE
EXEMPTIONS FROM TAXATION	
cold storage plants, buildings.....	5
business.....	6
municipal property.....	5
religious institutions.....	5, 6
MINING MUNICIPALITIES	
payments to, authority to make regulations.....	8, 9
MINING RIGHTS	
severance on tax sale or registration.....	8
PAYMENTS	
by public utilities.....	9, 10
to mining municipalities.....	8, 9
PENALTIES	
non-payment of taxes.....	12
PUBLIC UTILITIES	
payments in lieu of taxes.....	9, 10
tax exemption.....	5
REFUND OR REBATE OF TAXES.....	13
SCHOOL SUPPORT	
appeals.....	7
time for determining qualifications.....	7
TAXES	
exemptions.....	5, 6
land sold for, expiration of right to conveyance.....	14
payments in lieu of, by public utilities.....	9, 10
penalties for non-payment.....	12
refund or rebate, application, time for making.....	13
disposition.....	13
TAX SALE LAND	
expiration of right to conveyance of.....	14
TELEGRAPH COMPANIES	
returns to Minister.....	6, 7
TELEPHONE COMPANIES	
returns to Minister.....	6, 7
AUXILIARY CLASSES	
admission, recommendation by board.....	15
compulsory attendance.....	15
commencement of Act.....	16
fees, non-resident pupils.....	16
resident pupils.....	16

## B

BARRIE (TOWN)	
commencement of Act.....	392
market square, alternative site for.....	392
restrictions annulled.....	391
sale, authorized.....	391
execution of documents on.....	391
proceeds.....	392
vested in municipality.....	391
BARR LAKE	
<i>See</i> SEINE RIVER DIVERSION.	



BLIND PERSONS' ALLOWANCES	PAGE
allowances, payment authorized.....	17
commencement of Act.....	17
BOARDS OF EDUCATION	
commencement of Act.....	19
municipal boards, establishment for two or more municipalities.....	19
BROKERS	
See REAL ESTATE AND BUSINESS BROKERS.	

## C

CANADIAN NATIONAL EXHIBITION ASSOCIATION	
appointment of representatives, notice.....	393
commencement of Act.....	393
CANCER TREATMENT	
See ONTARIO CANCER INSTITUTE.	
CARLETON COLLEGE	
ACCOUNTS	
audit.....	401
BOARD	
by-laws.....	398
special.....	399
composition.....	399
defined.....	395
government of College vested in.....	398
powers.....	398, 399
quorum.....	399
CHANCELLOR	
appointment.....	399
defined.....	395
degrees conferred by.....	399
COLLEGE	
accounts.....	401
borrowing powers.....	397, 398
defined.....	395
degrees granted.....	396
faculties and schools established.....	396
government.....	398
investment of funds.....	397
objects and purposes.....	396
power to acquire property.....	396, 397
reports.....	401
COMMENCEMENT OF ACT.....	401
CORPORATION	
continued under new name.....	396
defined.....	395
members.....	401
recommendations to Board.....	401
DEGREES	
by whom conferred.....	399
FACULTY BOARDS	
defined.....	395
FUNDS	
investment.....	397

CARLETON COLLEGE—*Continued*

PAGE

## PRESIDENT

appointment.....	400
defined.....	395
vacancy in office.....	400

## PROPERTY

application of statute of limitations to.....	397
to objects of College.....	397
defined.....	395
expropriation.....	397
power of College to acquire.....	396, 397
tax exemption.....	397
trust, vested in College.....	397

## REAL PROPERTY

defined.....	395
--------------	-----

## REPORTS TO LIEUTENANT-GOVERNOR IN COUNCIL.....

401

## SENATE

composition.....	400
defined.....	395
powers and duties.....	400, 401

## CHANGE OF NAME

use of refused name, penalty.....	21
-----------------------------------	----

## CHILDREN

*See* CHILDREN OF UNMARRIED PARENTS.  
CHILDREN'S PROTECTION.  
JUVENILE AND FAMILY COURTS.

## CHILDREN OF UNMARRIED PARENTS

commencement of Act.....	23
maintenance order.....	23

## CHILDREN'S PROTECTION

commencement of Act.....	25
transcription fees.....	25

## COMPANIES

insurers, investment powers.....	28-39
surplus, distribution.....	28
termination of existence of corporation, for cause.....	27
default in filing annual return.....	27, 28

## CONSERVATION AUTHORITIES

## ADMINISTRATION COSTS

apportionment.....	45, 46
assessment.....	45
defined.....	41

## ADVISORY BOARD

compensation for expropriation.....	42, 43
injurious affection.....	43-45

## AUTHORITY

approvals to scheme to be obtained by.....	42
term of office of members.....	42

## CAPITAL COSTS

recovery from municipalities.....	45
-----------------------------------	----

## COMMENCEMENT OF ACT.....

46

## COMPENSATION

expropriation, proceedings and appeals.....	42, 43
injurious affection, proceedings and appeals.....	43-45

CONSERVATION AUTHORITIES— <i>Continued</i>	PAGE
EXPROPRIATION compensation.....	42, 43
INJURIOUS AFFECTION compensation.....	43-45
MAINTENANCE COSTS apportionment..... assessment for.....	45, 46 45
MUNICIPALITY administration and maintenance cost, apportionment..... capital cost, recovery from..... new, designation as participating municipality..... non-benefitting, provision repealed..... urban, inclusion in conservation area.....	45, 46 45 41, 42 42 41
ONTARIO MUNICIPAL BOARD appeals to, re compensation for expropriation..... injuriously affected.....	43 44, 45
SCHEME approval of Municipal Board required.....	42
URBAN MUNICIPALITIES inclusion of whole or part in authority.....	41
CONVEYANCING AND LAW OF PROPERTY	
LANDS IMPROVED UNDER MISTAKE OF TITLE application to county court re..... appeal..... removal into Supreme Court.....	47 47 47
RESTRICTIVE COVENANTS modification by order of county court judge..... removal of proceedings into Supreme Court.....	48 48
CORPORATIONS TAX	
COMMENCEMENT OF ACT.....	59
DEPRECIABLE PROPERTY OF COMPANY defined.....	49
DEPRECIATION transitional provisions respecting.....	55-58
DISPOSITION OF PROPERTY defined.....	49
EFFECTIVE DATES OF AMENDMENTS.....	59
INCOME computation.....	50-55
PERMANENT ESTABLISHMENT defined.....	55
PROCEEDS OF DISPOSITION defined.....	49
TOTAL DEPRECIATION ALLOWED TO A COMPANY defined.....	50
UNDEPRECIATED CAPITAL COST TO THE COMPANY OF DEPRECIABLE PROPERTY defined.....	50

COUNTY COURTS	PAGE
commencement of Act.....	63
office hours.....	61
sittings, opening dates.....	61, 62
postponement.....	62
notice.....	62
CREDIT FONCIER FRANCO-CANADIEN	
commencement of Act.....	404
real property, power to acquire and hold.....	403, 404
CROWN PROCEEDINGS	
See PROCEEDINGS AGAINST THE CROWN.	
CROWN TIMBER	
Act	
application.....	82
commencement.....	84
former provisions repealed.....	84
ADVISORY COMMITTEE.....	79
ANNUAL PLAN	
cutting operations to be in accordance with.....	74
CROWN CHARGES	
defined.....	65
in respect of unproductive lands.....	68
lien for.....	70, 71
notice.....	72
regulations re.....	83
to be paid by licensee.....	69
CROWN DUES	
price of timber to include.....	82
regulations re.....	82, 83
CROWN TIMBER	
defined.....	65
disposal by Minister.....	73
licence to cut.....	66
measurement by scaler.....	77
on patented lands.....	69
unpatented lands.....	69
regulations re, governing cutting.....	83, 84
size and species of.....	83
sale.....	66
tenders to cut.....	66
terms and conditions of cutting.....	67
CULL	
defined.....	65
duty of scalers re.....	77
CULLERS ACT	
repealed.....	84
DEPARTMENT	
defined.....	65
scaler's record to be sent to.....	77
FIRE PROTECTION CHARGES	
regulations re.....	82
FORESTRY ACT	
repealed.....	84
FORFEITURE	
of seized timber and manufactured products.....	72

CROWN TIMBER—*Continued*

PAGE

GROUND RENTS

regulations re..... 82

INVENTORY

form..... 75

licensee to furnish to Minister..... 73

JUDGE

application to, for order for release from seizure..... 72

to determine ownership..... 72, 73

LICENCE

defined..... 65

existing..... 82

mill..... 78

regulations re..... 83

scaler..... 76

regulations re..... 83

to cut crown timber..... 66

areas to be stated in..... 68

assignment..... 70

cancellation and variation..... 74

conflicting..... 68

effect..... 69

expiring on 31st of March, 1952..... 66

grant..... 66, 67

manufacturing conditions..... 69

master plan to govern if conflict with..... 73

renewal..... 67

salvage..... 67

species of timber to be named..... 68

suspension and cancellation..... 75

terms and conditions..... 67, 82

transfer, fees..... 83

LICENSED AREA

defined..... 65

sale of public lands by Minister in..... 70

to be managed according to master plan..... 73, 74

LICENSEE

action against person wrongfully cutting..... 69

annual information to be furnished by..... 74

commencement of cutting operations..... 69

costs of survey..... 68

defined..... 65

direction to cut killed or damaged timber..... 67, 68

failure to comply with..... 68

information to be furnished..... 75

inventory to be furnished..... 73

master plan to be furnished..... 73

mill, returns to be made..... 83

records..... 70

rights..... 68, 69

LIEUTENANT-GOVERNOR IN COUNCIL

appointment of board of examiners..... 76

cancellation or variation of licences..... 74

regulations re Crown dues may be made by..... 82

suspension of manufacturing conditions by..... 69, 70

or cancellation of licence by..... 75

MANUFACTURING CONDITIONS

licence subject to..... 69

suspension..... 69, 70

MAPS

form..... 75

CROWN TIMBER—*Continued*

PAGE

## MASTER PLAN

alteration.....	74
approval by Minister.....	73
licensed area to be managed according to.....	73, 74
licensee to furnish to Minister.....	73

## MILL

classification by regulations.....	83
conditions as to location.....	83
defined.....	65
inspection.....	83
licence required to operate.....	78
regulations re.....	83
operating methods.....	83
returns by licensees.....	83

## MILLS LICENSING ACT

repealed.....	84
---------------	----

## MINISTER

action for recovery of penalties.....	81
acts deemed administrative.....	81
approval of area for cutting operations.....	69
master plan.....	73
authorization of scaling manual.....	77
consent, to assignment of licence.....	70
defined.....	65
delegation of powers.....	81
determination of species and quantities to be cut.....	74
direction as to marking of trees, etc.....	74, 75
to licensee to cut damaged timber.....	67, 68
disposal of Crown timber.....	70
information required from licensee.....	75
inventory and master plan to be furnished to.....	73
licences granted.....	66
with the approval of the Lieutenant-Governor in Council.....	67
licensee to furnish information annually.....	74
limitation of cutting of timber.....	74
mill licence, issue.....	78
notice of lien given.....	72
sale of Crown timber.....	66
public lands in licensed area.....	70
scaler's licence, issue.....	76
suspension and cancellation.....	78
special permit, issue.....	77
suspension and cancellation.....	78
seized timber removed.....	71
suspension or cancellation of licence.....	75

OFFENCES.....	79, 81
---------------	--------

## PENALTIES

action for recovery.....	81
for contravention of Act.....	79, 81
regulations re, where no penalty fixed.....	83

## PLANS

form.....	75
See ANNUAL PLAN.	
MASTER PLAN.	

## PRESERVATION OF FORESTS

powers of Lieutenant-Governor re.....	74
Minister re.....	74, 75

PROVINCIAL FORESTS.....	78, 79
-------------------------	--------

## PROVINCIAL FORESTS ACT

repealed.....	84
---------------	----



CROWN TIMBER—*Continued*

PAGE

PUBLIC LANDS

defined.....	65
sale in any licensed area.....	70

PUBLIC LANDS ACT

lands located or sold under.....	69
referred to.....	70

PULPWOOD

measurement.....	78
------------------	----

PULPWOOD CONSERVATION ACT

repealed.....	84
---------------	----

RECORDS

licensee to keep.....	70
scaler's.....	77

REGULATIONS

application.....	82
defined.....	65
Lieutenant-Governor in Council may make.....	82, 84

REPEAL OF FORMER PROVISIONS.....

84

SCALERS

board of examiners re.....	75, 76
duties.....	77
examination, fee.....	76
standards and method.....	76
examiners, oath.....	76
transmission of, to Minister.....	76
remuneration.....	76
licence, form.....	83
issue.....	76
regulations re.....	83
renewal.....	77
suspension and cancellation.....	78
term.....	77
manual of scaling instructions.....	77
oath.....	77
transmission to Minister.....	77
special permit, issue.....	77
form.....	83
renewal.....	83
suspension and cancellation.....	78
records to be kept by.....	77
inspection of.....	78
where Crown timber to be measured by.....	77, 78

SCALING MANUAL AUTHORIZED.....

77

SEIZURE

manner of.....	83
proceedings following.....	72, 73
costs.....	73
order as to ownership.....	72, 73
order for release.....	72
timber and manufactured products.....	71
mixed with other timber.....	71, 72

SURVEY

boundaries of licensed areas.....	68
costs.....	68

TREASURER OF ONTARIO

Crown charges payable to.....	72
-------------------------------	----

UNPRODUCTIVE LANDS

Crown charges not payable in respect of.....	68
defined.....	65

CROWN TIMBER— <i>Continued</i>	PAGE
WASTEFUL PRACTICES	
prohibition .....	75
regulations re.....	83
CULLERS ACT	
repealed.....	84
CUSTODY OF DOCUMENTS	
commencement of Act.....	85
documents to be copied.....	85
registrar, documents to be copied by.....	85
fees.....	85

## D

### DAIRY PRODUCTS

COMMENCEMENT OF ACT.....	89
CONTAINERS	
regulations re.....	88
DAIRY PRODUCT	
defined.....	87
regulations re standards.....	89
FIELDMEN	
appointment.....	87
duties.....	88
FOOD COLOURING	
regulations re.....	88
INSPECTOR	
defined.....	87
duties.....	88
INSTRUCTORS	
appointment.....	87
duties.....	88
MILK RECEIVING STATION	
defined.....	87
regulations re.....	88, 89
REGULATIONS	
re exemption of plants or milk receiving stations.....	89
food colouring.....	88
labelling of containers.....	88
licences, certificates and permits.....	88
milk receiving stations.....	88
standards of products.....	89

### DEPARTMENT OF EDUCATION

BOARDS	
milk, regulations re supply to pupils by.....	92
teachers' contracts with, form .....	92
COMMENCEMENT OF ACT.....	92
MILK	
supply to pupils.....	92
OCCASIONAL TEACHER	
defined.....	91

DEPARTMENT OF EDUCATION—*Continued*

PAGE

## PERMANENT TEACHER

contract of, regulations prescribing form .....	92
defined .....	91

## PROBATIONARY TEACHER

contract of, regulations prescribing form .....	92
defined .....	91

## REGISTRAR

defined .....	91
---------------	----

## REGULATIONS

defined .....	91
distribution of milk to pupils .....	92
teachers' contracts .....	92

## TEMPORARY TEACHER

defined .....	91
---------------	----

## DEPARTMENT OF MUNICIPAL AFFAIRS

commencement of Act .....	95
municipality, defined .....	93
tax arrears procedures, application to school boards in unorganized territory, repeal .....	93
former owner of land, expiration of right to conveyance .....	94, 95
redemption, right of .....	94
registration of certificate, notice .....	93

## DEPENDANTS' RELIEF

appeals .....	97, 98
practice of surrogate court to apply .....	97

## DEVOLUTION OF ESTATES

commencement of Act .....	99
repeal of subsection 7 of section 12, effect on real property .....	99

## DISABLED PERSONS' ALLOWANCES

## ADVISORY BOARD

establishment by regulation .....	104
-----------------------------------	-----

## ALLOWANCE

application for .....	103
regulations re .....	103
assignability .....	102
defined .....	101
effect on voting rights .....	102
exemption from taxation .....	102
manner of payment .....	103
payable out of moneys appropriated .....	103
proof to be furnished before payment .....	103
qualifications .....	102
seizure .....	102
suspension and cancellation .....	103
when payable to trustee .....	103
who may be paid .....	102

COMMENCEMENT OF ACT .....	104
---------------------------	-----

## DIRECTOR

acting .....	102
advisory board to assist .....	104
decisions .....	102
defined .....	101
direction of payment of allowance to trustee by .....	103
duties .....	102
information to be given local authorities .....	103

DISABLED PERSONS' ALLOWANCES— <i>Continued</i>	PAGE
DISABLED PERSON	
classes excluded.....	103
defined.....	101
FORMS	
regulations re.....	104
INVESTIGATIONS	
regulations re.....	104
INVESTIGATOR	
defined.....	101
powers and duties.....	103
LOCAL AUTHORITY	
defined.....	101
expenses.....	103
information to be given Director.....	103
powers and duties.....	103
MINISTER	
defined.....	101
RECIPIENT	
defined.....	101
medical and dental services.....	103
cost of providing.....	103
trustee, payment of allowance to.....	103
REGULATIONS	
defined.....	101
Lieutenant-Governor in Council may make.....	103, 104
DIVISION COURTS	
commencement of Act.....	105
juries, failure to observe provisions re.....	105
office hours.....	105
DOWER	
order dispensing with consent of wife, application, by husband.....	107
purchaser or	
mortgagee.....	108
evidence on.....	107
notice of.....	107, 108
subsequent orders.....	108
terms and conditions.....	108
sale of land free from dower, where wife has not lived in Ontario.....	107
DRIVING SCHOOLS	
<i>See</i> MUNICIPAL.	
DRUGLESS PRACTITIONERS	
board of directors, appointment.....	109
Board of Regents replaced.....	110
powers.....	110
classification of persons admitted to practice.....	109

## E

### EDIBLE OIL PRODUCTS

ACT	
application.....	111
commencement.....	112
exemptions.....	112
ANALYST	
appointment.....	112
defined.....	111
powers and duties.....	112

EDIBLE OIL PRODUCTS—*Continued*

PAGE

## CONTAINERS

advertising and labelling..... 112

## DAIRY PRODUCT

defined..... 111

## EDIBLE OIL PRODUCT

application of Act..... 111

classes designated by regulations..... 112

composition, provided by regulations..... 112

defined..... 111

detention and confiscation..... 112

licence for manufacture or sale by wholesale..... 111

sale..... 111

## INSPECTOR

appointment..... 112

defined..... 111

obstructing..... 112

powers and duties..... 112

## LICENCE

regulations re issue, etc..... 112

requirements for manufacture or sale of edible oil product by wholesale..... 111

## MINISTER

defined..... 111

## PENALTIES..... 112

## RECORDS

manufacturers and wholesalers to keep..... 112

## REGULATIONS

defined..... 111

exemptions..... 112

Lieutenant-Governor in Council may make..... 112

## EDUCATION

*See* AUXILIARY CLASSES.

BOARDS OF EDUCATION.

CARLETON COLLEGE.

DEPARTMENT OF EDUCATION.

FORT ERIE (TOWN).

HIGH SCHOOLS.

PUBLIC LIBRARIES.

SARNIA SEPARATE SCHOOL BOARD.

TIMMINS SEPARATE SCHOOL BOARD.

TORONTO (TOWNSHIP).

VOCATIONAL EDUCATION.

## ELDERLY PERSONS HOUSING AID

commencement of Act..... 113

elderly persons housing grants, amount..... 113

authority..... 113

regulations respecting..... 113

source..... 113

## EVIDENCE

affidavits made out of Ontario

before Canadian Government Trade Commissioner..... 116

officer of Canadian diplomatic services..... 115, 116

Her Majesty's diplomatic services..... 115

public documents..... 115

signature, proof of..... 116

## EXECUTION OF TRUSTS ACT, 1939

repealed..... 117

## F

PAGE

## FACTORY, SHOP AND OFFICE BUILDING

commencement of Act.....	119
fire escape, extent of outside.....	119

## FINLAYSON LAKE

*See* SEINE RIVER DIVERSION.

## FIRE DEPARTMENTS

*See* MUNICIPAL SUBSIDIES ADJUSTMENT.  
WORKMEN'S COMPENSATION.

## FIRE ESCAPES

*See* FACTORY, SHOP AND OFFICE BUILDING.

## FOREST FIRES PREVENTION

commencement of Act.....	122
fire districts, closure.....	122
notice of order for.....	122
creation.....	121
prohibition against entering closed.....	122
travel permit area, creation.....	121
defined.....	121
travel permits, authority conferred by.....	121
issue.....	121
terms and conditions.....	122

## FOREST MANAGEMENT ACT

repealed.....	84
---------------	----

## FOREST RESOURCES REGULATION ACT

repealed.....	84
---------------	----

## FORESTRY

## ACT

commencement.....	125
repeal of former provisions.....	84, 125

## AGREEMENTS FOR FORESTRY ON PRIVATE LANDS

registration.....	123
-------------------	-----

## MINISTER

agreements entered into by.....	123
registration.....	123
defined.....	123
establishment of nurseries by.....	124
inspection of lands by.....	124
release of reserved timber rights by.....	124

## NURSERIES

establishment of.....	124
-----------------------	-----

## NURSERY STOCK

application.....	124, 125
charges.....	125
defined.....	123
furnishing.....	124
purposes for which furnished.....	125
sale prohibited.....	124
terms and conditions.....	125

## NURSERY STOCK ACT

repealed.....	125
---------------	-----

## OWNER

agreements for forestry with.....	123
defined.....	123



FORESTRY—*Continued*

PAGE

PENALTIES..... 124, 125

## PRIVATE FOREST RESERVE

cutting and removing trees by owner..... 124  
 declaration creating..... 124  
 registration..... 124  
 defined..... 123  
 preservation of trees..... 125  
 release of reserved timber rights..... 124  
     effect..... 124  
 running at large of live stock..... 125

## PRIVATE FOREST RESERVES ACT

repealed..... 125

## REGULATIONS

defined..... 123  
 Lieutenant-Governor in Council may make..... 125

REPEAL OF FORMER PROVISIONS..... 84, 125

RIGHT OF ENTRY UPON LAND..... 124

## FORT ERIE (TOWN)

board of park management, chairman..... 406  
     composition..... 405  
     constitution..... 405  
     powers..... 406  
     quorum..... 406  
     vacancies..... 406  
 commencement of Act..... 406  
 Community Memorial Arena Commission, chairman..... 406  
     composition..... 405  
     constitution..... 405  
     powers..... 406  
     quorum..... 406  
     to be board under *Community Centres Act*..... 406  
     vacancies..... 406  
 grants..... 406  
 non-council members, term of office..... 405, 406  
 recreation committee, chairman..... 406  
     composition..... 405  
     constitution..... 405  
     powers..... 406  
     quorum..... 406  
     vacancies..... 406

## FORT WILLIAM (CITY)

commencement of Act..... 414  
 sewer frontage tax..... 407  
 street closings, by-laws and deeds respecting, validated..... 407-414  
     by-law 33 and deed 597, set out..... 415-417

## G

## GAME AND FISHERIES

## BEAVER

prohibition re snares repealed..... 130

## CLOSED SEASON

possession of game in..... 130

## COMMENCEMENT OF ACT.....

131

## GUIDES

employment by non-residents..... 128  
 limitation re acting as..... 128

GAME AND FISHERIES—*Continued*

PAGE

LICENCE FEES	
fur dealers.....	129
non-residents.....	129
organized hunting camps.....	129
residents.....	128, 129
LICENCES TO HUNT	
application of provisions to farmers.....	127
LICENCES TO TRAP	
designation of area in which animals to be taken.....	128
licensee to trap in accordance with terms.....	128
limitation of number of.....	128
of animals to be taken.....	128
MINISTER	
powers as to issue of licences to trap.....	128
NON-RESIDENTS HUNTING IN RAINY RIVER	
guides to be employed.....	128
NOTICE PROHIBITING HUNTING OR FISHING	
destruction.....	130
entrance on land.....	130
apprehension.....	131
wrongful erection.....	130
OFFICER	
defined.....	127
duty to prosecute, application of provisions re.....	127
OTTER	
prohibition re shooting or spearing, repealed.....	130
REGULATIONS	
designation of hinterland areas.....	131
licensing of persons conveyed by aircraft to fishing waters.....	131
tourist outfitters' camps.....	131
ROYALTIES	
exceptions.....	129
TRAPS	
marking.....	130
TRESPASS, REMEDY FOR.....	131
GENERAL SESSIONS	
commencement of Act.....	134
sittings, commencement.....	133
postponement.....	133
notice.....	134
GRAND LODGE OF ONTARIO, I.O.O.F.	
commencement of Act.....	420
I.O.O.F. Hall Association of Toronto Limited, purchase and holding of shares by.....	419, 420
GREY NUNS	
<i>See</i> ST. PATRICK'S HOME OF OTTAWA.	

## H

## HEALTH OF LIVE STOCK

AREAS OF SOURCE OF DISEASE	
designation.....	137
shipping live stock or live stock products from.....	135

HEALTH OF LIVE STOCK—*Continued*

PAGE

COMMENCEMENT OF ACT..... 138

COMMISSIONER

defined..... 135

obstruction..... 136

powers..... 136

COMMUNITY SALE YARD

defined..... 135

facilities at, regulations re..... 137

licence required to operate..... 136

regulations re..... 137

records to be kept at..... 137

sanitary conditions, regulations re..... 137

FORMS

regulations re..... 137

INSPECTION

regulations re..... 137

INSPECTOR

defined..... 135

obstruction..... 136

powers..... 136

LICENCE

community sale yard..... 136

regulations re issue, etc..... 137

terms and conditions..... 138

LIVE STOCK

defined..... 135

detention, regulations re..... 137

disposal of seized..... 136

regulations re..... 137

exemptions..... 137

possession..... 135

seizure..... 136, 137

shipping from area of source of disease..... 135

LIVE STOCK PRODUCT

defined..... 135

detention, regulations re..... 137

disposal of seized..... 136

exemption from Act..... 137

possession..... 135

samples..... 137

seizure..... 136, 137

shipping from area of source of disease..... 135

MINISTER

defined..... 135

disposal of seized live stock directed by..... 136

PENALTIES..... 138

PERMIT

regulations re issue, etc..... 137

shipping live stock or live stock product without..... 135

RECORDS

community sale yard..... 137

production..... 136

REGULATIONS

defined..... 135

Lieutenant-Governor in Council may make..... 137, 138

HIGH SCHOOLS	PAGE
ADJOINING defined.....	140
COMMENCEMENT OF ACT.....	144
CONTRACTS permanent and probationary teachers.....	143
DEBENTURE DEBT assessor for municipality as arbitrator.....	142
DENTAL CONDITION payment of teacher for absence due to.....	143, 144
ESTIMATES.....	141
HIGH SCHOOL DISTRICTS "adjoining", defined for purposes of..... discontinuance..... establishment in unorganized territory..... on Crown lands.....	140 140, 141 141 141
ILLNESS payment of teacher for absence due to.....	143, 144
MAINTENANCE defined.....	139
OCCASIONAL TEACHER defined.....	139
PERMANENT TEACHER contract..... defined.....	143 140
PROBATIONARY TEACHER contract..... defined.....	143 140
RESIDENT PUPILS right to attend schools.....	142, 143
RIGHT TO ATTEND SCHOOLS resident pupils in counties..... territorial districts.....	142 143
TEACHER payment for absence due to illness, etc.....	143, 144
TEMPORARY TEACHER defined.....	140
HIGHWAY IMPROVEMENT <i>See</i> MUNICIPAL SUBSIDIES ADJUSTMENT.	
HOMES FOR THE AGED authorization for admission.....	145
HOSPITALS AND CHARITABLE INSTITUTIONS INQUIRIES commencement of Act..... inquiry, power to make..... <i>Public Inquiries Act</i> , application.....	147 147 147
HOUSING <i>See</i> ELDERLY PERSONS HOUSING. HOUSING DEVELOPMENT. JUNIOR FARMER ESTABLISHMENT. PLANNING. RURAL HOUSING ASSISTANCE.	

HOUSING DEVELOPMENT	PAGE
commencement of Act.....	151
joint housing projects, corporations, power to contribute.....	151
land for, acquisition by Minister.....	150, 151
payments in lieu of taxes.....	150
tax exemption.....	150
municipal power to make agreements re.....	149

## I

INCOME TAX SUSPENSION	
commencement of Act.....	153
tax on 1951 incomes suspended.....	153

# INDEPENDENT ORDER OF ODD FELLOWS

*See* GRAND LODGE OF ONTARIO, I.O.O.F.

INSURANCE	
fraternal societies, composed of municipal and government employees..	156
insurance and annuities in.....	155, 156
societies not deemed to be.....	155
guarantee and endowment insurance.....	155

INTERNATIONAL RAPIDS POWER DEVELOPMENT AGREEMENT	
agreement, approval.....	157
form.....	158-163
commencement of Act.....	157

INTERPRETATION	
commencement of Act.....	165
computation of time where time limited expires on Saturday.....	165
Proclamations, judicial notice.....	165

## J

# JEWISH COMMUNITY CENTRE

*See* SYNAGOGUE AND JEWISH COMMUNITY CENTRE OF OTTAWA.

# JEWISH HOME FOR THE AGED

*See* TORONTO (CITY).

J. L. THOMPSON SUPPLY LIMITED	
commencement of Act.....	421
lands vested in corporation.....	421

JUDICATURE	
commencement of section 3 of Act.....	167
office hours.....	167
special juries, pending cases with.....	167
provisions re, repealed.....	167
weekly court sittings.....	167

# JUNIOR FARMER ESTABLISHMENT

ACCOUNTS	
audit.....	171

ACT	
administration.....	175
cost.....	175
commencement.....	176

ANNUAL REPORT.....	171, 172
--------------------	----------

COMMITTEES	
appointment.....	172

CONSOLIDATED REVENUE FUND	
cost of administration of Act to be paid from.....	175

JUNIOR FARMER ESTABLISHMENT—*Continued*

PAGE

## DEBENTURES

advertisement for sale.....	171
guarantee by province.....	171, 175
indefeasible.....	171
issue by corporation.....	169, 170, 175
lawful investment for trust funds.....	171
lost.....	171
payment.....	175
redeemable.....	170
redemption before maturity.....	175
registration.....	175
retirement.....	175
statement of source of authorization.....	170, 171

## GUARANTY

form.....	171, 175
validity.....	171

## INSURANCE

buildings to be covered.....	173
------------------------------	-----

## LIEUTENANT-GOVERNOR IN COUNCIL

approval of appointment of committees.....	172
borrowing by corporation.....	169, 170
form of guarantee determined by.....	171
regulations may be made by.....	175

## LOANS

applicants, fees and expenses.....	175
qualifications.....	172, 173
collateral security.....	173
extent.....	173
payment.....	175
purposes.....	172
repayment.....	173, 174
report on securities taken for.....	174, 175
temporary, regulations re.....	175
terms and conditions.....	175

## MORTGAGE

how made.....	174
preparation.....	174
sale of land under.....	174

## ONTARIO JUNIOR FARMER ESTABLISHMENT LOAN CORPORATION

administration.....	169, 175
annual report.....	171, 172
appointment of committees by.....	172
books and accounts.....	171
borrowing powers.....	169, 170
constitution.....	169
loans by.....	172
management.....	169, 175
membership.....	169
mortgages made by.....	174
reports of securities taken by.....	174, 175

## REGULATIONS

power to make.....	175
--------------------	-----

## TRUST FUNDS

investment in debentures authorized.....	171
--	-----

## VALUATOR

report of.....	173
----------------	-----

## JURORS

jurors, omission to observe provisions as to qualifications, etc.....	178
when to be summoned.....	178
local selectors, manner in which list to be made by.....	177
special jurors, pending cases with.....	178
provisions re, repealed.....	178



## JUSTICES OF THE PEACE

PAGE

COMMENCEMENT OF ACT..... 181

## COMMISSIONERS FOR TAKING AFFIDAVITS ACT

power to administer oaths under..... 180

## CRIMINAL CODE (CANADA)

fees provided for under..... 180

## FEES

prescribed by Lieutenant-Governor in Council..... 180, 181

under *Criminal Code* (Canada)..... 180*Summary Convictions Act*..... 180

when to be paid over to magistrate..... 181

who to be paid by..... 180, 181

## GENERAL COMMISSION

new, effect of..... 179

## INSPECTOR OF LEGAL OFFICES

oaths to be filed in office of..... 180

returns required by..... 180

## JUSTICES OF THE PEACE

appointment..... 179

assigned to cities..... 181

employed on salary in another capacity..... 181

*ex officio*..... 179

fees and allowances of..... 180, 181

powers..... 180

limitation..... 180

power to administer oaths..... 180

qualifications, examination as to..... 179

returns of convictions, etc., by..... 180

use of court room by..... 180

## JUSTICES OF THE PEACE ACT

repealed..... 181

## JUSTICES OF THE PEACE AMENDMENT ACT, 1951

repealed..... 181

## LIEUTENANT-GOVERNOR IN COUNCIL

assignment of justices of the peace to cities by..... 181

fees and allowances prescribed by..... 180, 181

## OATHS

filing of..... 180

power to take..... 180

required to be taken..... 180

## PUBLIC OFFICERS ACT

oath of allegiance required by..... 180

## SUMMARY CONVICTIONS ACT

fees provided for under..... 180

## JUVENILE AND FAMILY COURTS

commencement of Act..... 183

courts, costs, agreement..... 183

appeals..... 184

arbitration..... 183, 184

establishment..... 183

jurisdiction..... 183

provincial aid..... 184

## K

KINGSTON (CITY)	PAGE
annexation order, confirmed.....	423
set out.....	425-439
buildings dangerous to health, removal of.....	423
commencement of Act.....	424
sewer connections.....	424
sewer rental.....	423

## L

## LAND TITLES

cautions, expiration.....	185
renewal of.....	185
of entry from register.....	186
commencement of Act.....	186
condition or covenant, removal of entry from register.....	186
interest in land, acquisition by length of possession.....	185
office hours.....	186

## LAW STAMPS

commencement of Act.....	187
fees, when payable direct to Treasurer.....	187
stamps to be affixed to papers, exception as to Crown.....	187

## LEGISLATIVE ASSEMBLY

commencement of Act.....	190
member, allowances for expenses.....	189
indemnity.....	189
mileage allowances.....	190
Ontario Provincial-Municipal Relations Committee, exception re M.L.A.....	190
speaker, expenses.....	189
indemnity.....	189

## LIVE STOCK

See HEALTH OF LIVE STOCK.

## LOAN AND TRUST CORPORATIONS

common trust fund, passing of account.....	191, 192
--	----------

## LONDON (CITY)

COMMENCEMENT OF ACT.....	445
--------------------------	-----

## COMMISSIONERS

liability.....	444
----------------	-----

DEED VALIDATED.....	445
---------------------	-----

## GRATUITIES

funds for.....	441
use.....	441, 442

## MARKET SQUARE

power to pass by-laws re.....	442, 443
-------------------------------	----------

PARKING METER FUND.....	445
-------------------------	-----

## PIPES FOR TRANSMISSION OF GAS OR LIQUIDS

laying.....	445
-------------	-----

## POLES AND WIRES

use.....	442
----------	-----

## SIGNS ON STREET ALLOWANCES.....

445

## TRANSPORTATION COMMISSION

payments to Corporation by.....	444
self-sustaining.....	443, 444

## M

## MAGAZINE SUBSCRIPTIONS

*See* MUNICIPAL.

PAGE

## MAGISTRATES

## ACCOUNTS

audit.....	196
regulations re.....	197

## ACT

commencement.....	197
former provisions repealed.....	197

## ADMINISTRATION OF JUSTICE EXPENSES ACT

audit of accounts under.....	196
------------------------------	-----

## ASSEMBLY

order for removal of magistrate to be laid before.....	194
--	-----

## ATTORNEY-GENERAL

assignment of magistrates to cities by.....	196
senior magistrate for Toronto by.....	196
judge of juvenile court to be <i>ex officio</i> magistrate on direction of.....	195
order for removal of magistrate to be laid before Assembly by.....	194

## CITY MAGISTRATE

accommodation.....	196
assignment.....	196
salaries, etc., payment.....	196
senior, Toronto.....	196
duties.....	197
superannuation.....	196

## CRIMINAL CODE (CANADA)

reference to.....	195
-------------------	-----

## DEPUTY MAGISTRATE

removal from office.....	194
--------------------------	-----

## FEES

deduction of expenses from.....	196
payment over to Treasurer of Ontario.....	196
treasurer of city.....	196
manner of.....	197

## INSPECTOR

defined.....	193
employment of clerical staff authorized by.....	195
oaths to be filed with.....	194
office supplies authorized by.....	195

## JURISDICTION.....

195

## JUVENILE COURT JUDGE

<i>ex officio</i> a magistrate.....	195
-------------------------------------	-----

## LIEUTENANT-GOVERNOR IN COUNCIL

appointment of magistrates.....	193
judge.....	193
may make regulations.....	196, 197
salaries of magistrates to be fixed by.....	195
to fix amounts payable to Province by cities.....	196

## MAGISTRATES

appointment.....	193
assignment to city.....	196
books and accounts, audit.....	196
regulations re.....	197
clerical staff, etc.....	195
court room, use by.....	195

MAGISTRATES—*Continued*

PAGE

MAGISTRATES—*Continued*

defined.....	193
engaging in other occupation.....	195
<i>ex officio</i> justice of the peace.....	195
fees, deduction of expenses from.....	196
payment over to Treasurer of Ontario.....	196
treasurer of city.....	196
jurisdiction.....	195
juvenile court judge, <i>ex officio</i> .....	195
powers.....	195
practising in magistrates' courts.....	195
removal from office.....	193
inquiry re.....	193
order for.....	194
retired, re-appointment of.....	194
oath required to be taken.....	194
retirement, application of <i>Public Service Act</i> on.....	194
returns to be made by.....	197
salaries.....	195
senior, for Toronto.....	196
duties.....	197
tenure of office.....	193

## MAGISTRATES ACT

repealed.....	197
---------------	-----

## MAGISTRATES ACT, 1934

repealed.....	197
---------------	-----

## OATHS

to be taken by magistrate.....	194
filing of.....	194

## PUBLIC INQUIRIES ACT

referred to.....	193
------------------	-----

## PUBLIC OFFICERS ACT

oath of allegiance required under.....	194
--	-----

## PUBLIC SERVICE ACT

application.....	194
superannuation of city magistrates.....	196

## REGULATIONS

application.....	197
Lieutenant-Governor in Council may make.....	196, 197

## RETURNS

to be made by magistrates to be specified by regulations.....	197
---	-----

## STENOGRAPHIC REPORTERS

regulations re.....	197
---------------------	-----

## MARMION LAKE

*See* SEINE RIVER DIVERSION.

## MASSEY HALL

*See* TRUSTEES OF MASSEY HALL.

## McKIM (TOWNSHIP)

commencement of Act.....	447
water service pipes, assessments.....	447

## MECHANICS' LIEN

## AGENT

defined.....	199
--------------	-----

## CONTRACTS

amendment.....	201
----------------	-----

MECHANICS' LIEN—*Continued*

PAGE

## LIEN

expiry .....	203
time for registration .....	202

## MATERIAL

lien for .....	202
removal .....	202

## OFFENCES

unauthorized conversion of contract price .....	199
---	-----

## PAYMENT

made in good faith without notice of lien .....	201
percentage after 37 days .....	201
where not to be applied .....	202

## REFERENCE TO JUDGE OR OFFICER

provisions repealed .....	203
---------------------------	-----

## RETENTION

percentage by owner .....	200
reduction in amount .....	200

## SALE

orders for completion .....	203
power to direct .....	203

## TRUSTEE

appointment and powers .....	203
------------------------------	-----

## MEDICAL

Educational Register, establishment .....	205
registration in .....	205
renewal of names .....	205

## MENTAL HOSPITALS

commencement of Act .....	209
committee, appointment .....	209
detention units, admission .....	207
application for admission .....	208
approving .....	207
grants for maintenance .....	208
limit of detention .....	208
superintendent of public hospital, powers .....	208

## MILK AND CREAM

by-laws, fixing standards of butter fat and solids, provisions re, repealed	211
licensing vendors .....	211
commencement of Act .....	211
municipality, defined .....	211
vendor, defined .....	211
licensing .....	211

## MILK CONTROL

## AGREEMENTS

commencement .....	214
filing .....	213, 214

## ARBITRATION

application of <i>Arbitration Act</i> .....	213
---	-----

## AWARDS

commencement .....	214
--------------------	-----

## COLLECTIVE BARGAINING

designation of groups of markets for .....	213, 214
--	----------

## COMMENCEMENT OF ACT

214

MILK CONTROL— <i>Continued</i>	PAGE
MARKET	
sale of milk not processed in.....	214
MILK	
labelling containers.....	214
prescribing classes.....	214
substances added.....	214
MILLS LICENSING ACT	
repealed.....	84
MINING	
accidents, notice of.....	216
authorizations to take oaths, validation.....	216, 217
boring permits, limitation on number in one licence year.....	216
commencement of Act.....	217
enlisted person, free patent where area does not exceed 40 acres.....	216
patent, additional work required.....	215
price where area exceeds prescribed area.....	215
survey required before application.....	215
MINING TAX	
ALLOWANCES	
for tax paid to municipalities or school board.....	219, 220
not permitted.....	219
COMMENCEMENT OF ACT.....	222
FORFEITURE	
declaration.....	220
registration.....	221
revocation.....	222
LANDS FORFEITED	
opening for prospecting.....	221
re-grant.....	221, 222
staking.....	221
MUNICIPALITY	
defined.....	219
REGISTRY OFFICES	
right to search free in.....	221
TRUSTEES IN TERRITORY WITHOUT MUNICIPAL ORGANIZATION	
acreage tax payable to.....	220
application of provisions re.....	220
list to be made by.....	220
MODRED LAKE	
<i>See</i> SEINE RIVER DIVERSION.	
MORTGAGES	
county court, appeal from order.....	223
application for order discharging mortgage.....	223
MOTHERS' ALLOWANCES	
ACT	
commencement.....	228
former provisions repealed.....	228
ALLOWANCE	
application for.....	228
defined.....	225
evidence to be furnished.....	228
manner of payment.....	228
maximum amounts of.....	228



MOTHERS' ALLOWANCES—*Continued*

PAGE

ALLOWANCE—*Continued*

payable out of moneys appropriated.....	227
re children 16 to 18.....	226
under disability.....	227
under 16.....	226
incapacitated husband.....	226
special cases.....	227
suspension and cancellation.....	228
when payable.....	225, 226

## BENEFICIARY

defined.....	225
medical and dental services for.....	227

## DIRECTOR

acting.....	227
appointment.....	227
decisions of.....	227
defined.....	225
duties.....	227

## FORMS

regulations re.....	228
---------------------	-----

## INVESTIGATIONS

regulations re.....	228
---------------------	-----

## INVESTIGATOR

defined.....	225
designation of person as.....	228
powers and duties.....	228

## LOCAL AUTHORITY

appointment.....	227
commissioner for taking affidavits.....	227
defined.....	225
payment of expenses incurred by.....	228
powers and duties.....	228

## MINISTER

defined.....	225
--------------	-----

## MOTHER

defined.....	225
when allowance may be paid to.....	225, 226

## MOTHERS' ALLOWANCES ACT

repealed.....	228
---------------	-----

## MOTHERS' ALLOWANCES AMENDMENT ACT, 1951

repealed.....	228
---------------	-----

## REGULATIONS

defined.....	225
Lieutenant-Governor in Council may make.....	227, 228

## MOTOR CAR RACING

*See MUNICIPAL.*

## MUNICIPAL

ADVANCE POLLS.....	231-233
--------------------	---------

## ASSENT OF ELECTORS

not required for debentures under <i>Municipal Drainage Act</i> .....	235
---	-----

## BOARD OF CONTROL

remuneration of members.....	233
------------------------------	-----

MUNICIPAL—*Continued*

PAGE

## CERTIFICATE

- as to payment of taxes..... 230
- right to vote..... 229, 230

## CLERK

- certificate to voter..... 229, 230
- deputy returning officer, to act as..... 230, 231

## COMMENCEMENT OF ACT.....

242

## COUNCIL

- disqualification for claims against municipality..... 229
- remuneration of members..... 233, 240, 241

## COUNTY LAND

- installation of services..... 239

## DEBENTURES

- hospitals, former provision repealed..... 235
- levy clauses..... 234, 235
- payment terms..... 234
- period..... 234
- sterling issue..... 235
- under *Municipal Drainage Act*..... 235
- U.S. funds..... 235

## DEFERRED WIDENING OF HIGHWAYS.....

236

## DRIVING SCHOOLS AND INSTRUCTORS

- licensing, etc..... 239, 240

## ENTERTAINMENT OF GUESTS

- maximum expenditure, in city over 500,000..... 241
- in 1951..... 242

## FIREARMS, FIREWORKS, ETC.

- prohibition or regulation..... 237

## GAS WORKS

- on highways..... 238, 239

## HOSPITALS

- aid to, by county, former provision repealed..... 235
- municipal..... 236

## IMPROVEMENT DISTRICTS

- functions of board..... 229

## MEMBERS OF MUNICIPAL COUNCIL

- annual remuneration, board of control..... 233
- councillors..... 241
- attendance at meetings, fees..... 240, 241
- mileage allowance..... 241
- disqualification for claims against municipality..... 229

## MONEY BY-LAW

- defined..... 229
- levy clauses..... 234, 235
- period of debentures..... 234
- recitals..... 233, 234
- terms of payment..... 234

## MOTOR VEHICLE RACING

- prohibition, licensing, etc..... 237

## MUNICIPAL DRAINAGE ACT

- debentures under, assent of electors not required..... 235

## NEWSPAPERS, MAGAZINES, ETC.

- former provision repealed..... 240
- prohibition and regulation of sale, etc., on highways..... 239

MUNICIPAL—*Continued*

PAGE

## NOMINATION PAPERS

contents..... 230

PARKING BUILDINGS..... 236

## SEWAGE WORKS

on highways..... 238, 239

reports and investigations..... 238

SMOKE PREVENTION..... 239

## TELEVISION

installations, regulation, etc..... 237

installers, licensing, etc..... 236

## TRAILERS

prohibiting use for human habitation..... 238

## TRANSIENT TRADERS

credit of licence fees on taxes..... 240

## VOTERS

advance poll..... 231-233

certificate of clerk as to right to vote..... 229, 230

## WATER WORKS

on highways..... 238, 239

reports and investigations..... 238

## MUNICIPAL BOARD

*See* ONTARIO MUNICIPAL BOARD

## MUNICIPAL DRAINAGE

farm bridges and water gates, construction and maintenance..... 243

## MUNICIPAL SUBSIDIES ADJUSTMENT

commencement of Act..... 245

municipal annexations, adjustment of grants or subsidies after..... 245

## MUNICIPAL TAX ASSISTANCE

APPEALS..... 248, 249

## APPLICATION OF ACT

decision of Minister of Municipal Affairs as to..... 248

exemptions..... 248

generally..... 250

## BOARD

appeals to..... 248, 249

defined..... 247

## BUSINESS

payments in respect of..... 249

exemptions..... 249

## COMMENCEMENT OF ACT.....

250

## CROWN AGENCY

appeal by..... 248

defined..... 247

notice of valuation of property..... 248

payments by..... 249

## DEPARTMENT

appeal by..... 248, 249

defined..... 247

notice of valuation to be given by..... 248

payments by..... 249

valuation of provincial property by..... 248

MUNICIPAL TAX ASSISTANCE—*Continued*

PAGE

HIGHWAYS	
defined.....	247
non-application of Act to.....	248
LOCAL IMPROVEMENTS	
payments by Department and Crown agencies.....	249
MINISTER OF MUNICIPAL AFFAIRS	
decision as to application of Act.....	248
MUNICIPALITY	
defined.....	247
payments to.....	249
valuation of provincial property in.....	248
appeal from.....	248, 249
ONTARIO FOOD TERMINAL	
provision re payment in lieu of taxes repealed.....	250
PAYMENTS	
by Crown agencies.....	249
Department.....	249
in 1952.....	250
limitation on right to.....	248
source.....	250
PROVINCIAL PROPERTY	
defined.....	247
valuation by Department.....	248
RATES LEVIED FOR GENERAL MUNICIPAL PURPOSES	
defined.....	247
payments to be computed by reference to.....	249
REAL PROPERTY	
defined.....	247
railroads.....	248
STOCK YARDS ACT	
provision re payment in lieu of taxes repealed.....	250
TAXES	
no right to levy, against provincial property.....	248
VALUATION OF PROVINCIAL PROPERTY BY DEPARTMENT	
annual.....	248
appeals.....	248, 249
basis, generally.....	248
railroads.....	248
exempted property.....	248
Minister's decision re application of Act.....	248
notice.....	248

## N

## NATURAL GAS CONSERVATION

commencement of Act.....	251
order of Referee, deemed to be administrative.....	251
filing.....	251

## NEEBING (MUNICIPALITY)

commencement of Act.....	450
council, composition.....	449
first election.....	450
former provisions repealed.....	450
wards, division into.....	449
former provisions repealed.....	450

NEW TORONTO (TOWN)	PAGE
commencement of Act.....	451
remuneration of councillors, provision repealed.....	451
NURSERY STOCK ACT	
repealed.....	125

## O

## OFFICE HOURS

*See* COUNTY COURTS.  
 DIVISION COURTS.  
 JUDICATURE.  
 LAND TITLES.  
 REGISTRY.  
 SHERIFFS.  
 SURROGATE COURTS.

## OIL

*See* EDIBLE OIL PRODUCTS.

## OLD AGE ASSISTANCE

assistance authorized.....	253
commencement of Act.....	253
local authority, defined.....	253
designation.....	253

## ONTARIO CANCER INSTITUTE

accounts, audit of.....	256
annual report.....	256
board of trustees, power to make by-laws.....	256
quorum.....	255
commencement of Act.....	256
Institute, annual report.....	256
board of trustees.....	255
defined.....	255
establishment.....	255
funds.....	256
head office.....	256
objects and powers.....	256
remuneration of members.....	256

## ONTARIO FOOD TERMINAL

provision re payments in lieu of taxes repealed.....	250
<i>See</i> MUNICIPAL TAX ASSISTANCE.	

## ONTARIO LOAN

commencement of Act.....	257
loans up to \$100,000,000 authorized.....	257
special sinking fund authorized.....	257
terms and rates.....	257

## ONTARIO MUNICIPAL BOARD

annual report.....	259, 260
by-laws, voluntary application by municipality for approval.....	259
commencement of Act.....	260
notices, service of.....	259

## ORILLIA (TOWN)

commencement of Act.....	453
hydro agreement, set out.....	454-457
validated.....	453

## OSHAWA (CITY)

commencement of Act.....	462
previous rates under <i>Local Improvement Act</i> , agricultural lands subject to	461, 462
cancellation.....	460, 461
public utilities commission, powers and rights of appeal exercisable by.	462
special frontage rates payable to.....	462

OSHAWA (CITY)— <i>Continued</i>	PAGE
repeal of former provisions.....	462
special frontage rate for watermains, agricultural lands subject to....	461, 462
appeals in respect.....	462
collection.....	460
exemptions from.....	459
imposition.....	459
in annexed area.....	460
refunds in respect.....	460
variation.....	460
when not levied.....	460
OTTAWA ASSOCIATION FOR THE ADVANCEMENT OF LEARNING	
<i>See</i> CARLETON COLLEGE.	
OTTAWA (CITY)	
annexation orders, confirmed in part.....	465, 466
commencement of Act.....	467
dwellings, standard of fitness for human habitation.....	463, 465
exterior design of buildings, regulation.....	466, 467
firemen's superannuation fund, application of Pt. X of <i>Insurance Act</i> ..	466
by-laws, power vested in Board of Trustees.....	466
rates of contribution or pension, etc.....	496

## P

PARKING	
<i>See</i> MUNICIPAL.	
TORONTO (CITY).	
PAROLE	
Board of Parole, constitution.....	261
commencement of Act.....	262
rehabilitation officer, appointment.....	261
defined.....	261
expenses.....	262
powers and duties.....	262
salaries.....	261
PARTITION	
appeals.....	263
court, defined.....	263
proceedings in county court, removal into Supreme Court.....	263
PELEE (TOWNSHIP)	
commencement of Act.....	469
hunting licences, application of revenue from.....	469
PHARMACY	
Council, election of members.....	265
resignations and vacancies.....	265
fees.....	266
shops kept by incorporated companies.....	266
PLANNING	
AREA OF SUBDIVISION CONTROL	
notice of by-law.....	276
COMMENCEMENT OF ACT.....	277, 278
COMMITTEES OF ADJUSTMENT	
applications to.....	271, 272
fees.....	273
hearing.....	272, 273
notice.....	272
oaths.....	273
chairman, administration of oaths by.....	273
election.....	271



PLANNING—*Continued*

PAGE

COMMITTEE ON ADJUSTMENT—*Continued*

decision, appeal to Municipal Board.....	273
approval.....	273
notice.....	274
conditions of and in.....	273
effect, when approved.....	274
notice.....	273
powers of Municipal Board re.....	273, 274
referred to Municipal Board.....	273
employees.....	271
establishment.....	270
members, disqualification.....	270
reappointment.....	270
remuneration.....	271
term of office.....	270
powers, general.....	271
special.....	271, 272
quorum.....	271
rules of procedure.....	271
secretary-treasurer, appointment.....	271
duties re records.....	271
vacancies.....	271
ESTIMATES.....	268, 269
FINANCES.....	268-270
GRANTS TO PLANNING BOARDS.....	270
HOUSING PROJECT	
defined.....	267
MINISTER	
approval of decision of committee of adjustment by.....	273, 274
orders, re restricted areas and subdivision control.....	276
reference to Municipal Board of decision of committee of adjustment..	273, 274
OFFICIAL PLAN	
effect of dissolution or alteration of planning area.....	268
redevelopment plan to conform with.....	275
scope and general purpose.....	267
ONTARIO MUNICIPAL BOARD	
appeal to, re decision of committee of adjustment.....	273, 274
finances.....	269
reference to, re approval of sale or purchase of land for public purposes	277
decision of committee of adjustment.....	273, 274
PLANNING AREAS	
composition.....	267
designated municipality.....	267
dissolution or alteration.....	268
establishment, in unorganized territory.....	268
municipal.....	267
special provisions for certain.....	268
PLANNING BOARDS	
appointment in unorganized territory.....	268
where unorganized territory and municipality in area....	268
constitution as committee of adjustment.....	270
finances.....	268, 269
grants.....	270
special constitution, etc.....	268
PLANS OF SUBDIVISION	
dedication of land for public purposes.....	276, 277
money payments in lieu.....	277
use and sale of land.....	277

PLANNING—*Continued*

PAGE

## REDEVELOPMENT AREAS

acquisition and clearance of land in . . . . .	275
debentures for redevelopment . . . . .	276
definitions . . . . .	274, 275
designation . . . . .	275
plan, adoption . . . . .	275
amendment . . . . .	275
powers of municipality after adoption . . . . .	275, 276
to conform with official plan . . . . .	275
sale of land in . . . . .	275, 276

## UNORGANIZED TERRITORY

establishment of planning area in . . . . .	268
inclusion in municipal planning area . . . . .	267
planning board in . . . . .	268

## PLANT DISEASES

nursery, defined . . . . .	279
plant disease, defined . . . . .	279

## POLICE

*See* MUNICIPAL SUBSIDIES ADJUSTMENT.

## POWER COMMISSION

easements, continuance . . . . .	282
expropriation, powers re . . . . .	281, 282
lines on highways, powers re . . . . .	281
local commission, appointment of successor to member appointed by Commission . . . . .	285
St. Lawrence development, funds for . . . . .	284
taxation, new provisions . . . . .	282-284
repeal of present provisions . . . . .	282

## PRIVATE FOREST RESERVES ACT

repealed . . . . .	125
--------------------	-----

## PROCEEDINGS AGAINST THE CROWN

## Act

application . . . . .	292
commencement . . . . .	292
conflict with other Acts . . . . .	292
effect . . . . .	287
limit of scope . . . . .	287, 288

## AGENT

defined . . . . .	287
-------------------	-----

## APPEALS

rules of court relating to . . . . .	290
--------------------------------------	-----

## COUNTERCLAIM . . . . .

291

## COUNTY COURTS ACT

proceedings against the Crown in accordance with . . . . .	289
--	-----

## CROWN

defined . . . . .	287
designation of, in proceedings . . . . .	290
enactments limiting liability of servants of . . . . .	289
execution against . . . . .	292
information required by . . . . .	291
interest on judgment debt due to or from . . . . .	291
judgment by default against . . . . .	291
liability for acts of servants performing duties legally required . . . . .	289
in tort . . . . .	288
limitation of liability re judicial acts . . . . .	289
payment by . . . . .	292
property vesting in . . . . .	289
right to sue, without consent . . . . .	288
without fiat . . . . .	288
service on . . . . .	290
where proceedings in tort lie against . . . . .	289

PROCEEDINGS AGAINST THE CROWN—*Continued*

PAGE

DISCOVERY

application of rules of court relating to . . . . . 290

INJUNCTION

court not to grant . . . . . 290

INTEREST IN JUDGMENT DEBT . . . . .

291

INTERPLEADER

relief by way of . . . . . 290

INTERPRETATION ACT

Crown liability in tort notwithstanding . . . . . 288

JUDICATURE ACT

proceedings against the Crown in accordance with . . . . . 289

ORDER

authority of court to make . . . . . 290

defined . . . . . 287

injunction and specific performance . . . . . 290

recovery of property . . . . . 291

PETITION OF RIGHT

abolished . . . . . 292

PROCEEDINGS

authority of court . . . . . 290

counterclaim . . . . . 291

defences of Crown . . . . . 291

defined . . . . . 287

in county or district court . . . . . 289

information may be required by Crown . . . . . 291

injunction and specific performance . . . . . 290

in respect of matters arising before July 1st, 1952 . . . . . 292

in Supreme Court . . . . . 289

judgment not to be entered against Crown in default . . . . . 291

pending . . . . . 292

recovery of property . . . . . 291

rights of parties in . . . . . 290

rules of court relating to appeals applicable . . . . . 290

service on Crown . . . . . 290

set-off . . . . . 291

trial to be without jury . . . . . 290

SERVANT

defined . . . . . 287

orders against . . . . . 290, 291

right to sue Crown without consent . . . . . 288

SET-OFF . . . . .

291

SPECIFIC PERFORMANCE

court not to grant . . . . . 290

STAY OF EXECUTION

rules of court relating to . . . . . 290

PROFESSIONAL ENGINEERS

fees, by-laws re . . . . . 293

partnerships, not deemed member of Association . . . . . 293

penalties . . . . . 294

practising professional engineering . . . . . 293

PROVINCIAL FORESTS ACT

repealed . . . . . 84

PROVINCIAL LAND TAX	PAGE
collector, information to be given to.....	295
obstruction.....	295
right of access.....	295
commencement of Act.....	297
forfeiture, declaration by certificate of Deputy Minister.....	296
registration.....	297
notice.....	295, 296
publication.....	296
PROVINCIAL LOANS	
commencement of Act.....	299
Ontario securities, purchase by Treasurer.....	299
sale by Treasurer.....	299
provincial securities, manner of execution.....	299
PROVINCIAL PARKS	
commencement of Act.....	302
provincial parks, continuation of present.....	301
regulations, re leasing of parts of provincial parks.....	301
the use of boats in provincial parks.....	301, 302
PUBLIC COMMERCIAL VEHICLES	
exemption of vehicles carrying goods in bond.....	303
PUBLIC HEALTH	
acting medical officer of health, appointment.....	305, 306
powers and duties.....	306
tenure of office.....	306
commencement of Act.....	306
local board, composition in cities over 100,000.....	305
regulations, application of present.....	305
may be limited.....	305
sewage disposal, provisions re, repealed.....	306
PUBLIC HOSPITALS	
burial expenses, payable by Minister.....	309
municipality.....	308
hospital, by-laws to be passed by.....	307
incurable, change of term to "chronically ill".....	307-309
PUBLIC LANDS	
forfeited land, grant to former owner.....	311
PUBLIC LIBRARIES	
buildings, acquisition or erection larger than required.....	313
commencement of Act.....	314, 315
pensions, authority to provide.....	313, 314
existing plans validated.....	314
sick leave credits, authority to provide.....	314
existing systems validated.....	314
PUBLIC SERVICE	
ADMINISTRATION	
cost of.....	320
COMMENCEMENT OF ACT.....	321
CONTRIBUTIONS TO FUND.....	319
DISABILITY ALLOWANCE	
who entitled to.....	317
REFUNDS.....	320
REGULATIONS	
defining classes of civil servants exempt from Part III.....	320

PUBLIC SERVICE—*Continued*

PAGE

RETIREMENT FUND

application of provisions re.....	319
audit.....	318
classes of civil servants exempt from.....	320
composition.....	318
contributions by civil servants.....	319
custodian.....	318
establishment.....	318
interest credited to.....	318, 319
interest of civil servant in, not subject to attachment.....	319
records re.....	318
transfer to Public Service Superannuation Fund.....	319, 320

SPECIAL GROUPS

credit rights of.....	320, 321
-----------------------	----------

SUPERANNUATION

retirement or death before.....	317, 318
---------------------------------	----------

TREASURER

records re Retirement Fund to be kept by.....	318
---	-----

PUBLIC TRUSTEE

building company, authorization.....	323
commencement of Act.....	323

PULPWOOD CONSERVATION ACT

repealed.....	84
---------------	----

R

RAFT LAKE

*See* SEINE RIVER DIVERSION.

REAL ESTATE AND BUSINESS BROKERS

agreement, expiry.....	326
bank account, designation as trust account.....	325, 326
bond, assignment to creditors.....	325

REED LAKE

*See* SEINE RIVER DIVERSION.

REGISTRY

abstract index, recopying.....	328
commencement of Act.....	328
fees, of registrar, increase.....	328
on registration, increase.....	328
office hours.....	327
orders under <i>Mental Incompetency Act</i> , to be recorded in general register.....	327

RURAL HOUSING ASSISTANCE

Act, commencement.....	330
cost of administration.....	330
who to administer.....	330
advance on loans.....	329, 330
debentures, power to issue.....	329
provincial guarantee.....	329
guaranty, form.....	329
validity.....	329
Rural Housing Finance Corporation, creation.....	329
powers.....	329

RURAL TELEPHONE SYSTEMS

commencement of Act.....	331
commission, power to make agreements for joint use of poles.....	331



## S

	PAGE
SANATORIA FOR CONSUMPTIVES	
burial expenses, paid by Minister.....	333
municipality.....	333
commencement of Act.....	333
SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY	
commencement of Act.....	335
powers, conditions precedent to exercise of.....	335
SARNIA SEPARATE SCHOOL BOARD	
commencement of Act.....	472
composition.....	471
members, election by general vote.....	471, 472
term of office, generally.....	471
of first.....	471
present.....	471
vacancies.....	472
SARNIA YOUNG MEN'S AND YOUNG WOMEN'S CHRISTIAN ASSOCIATION	
commencement of Act.....	473
tax exemption.....	473
SAULT STE. MARIE (CITY)	
commencement of Act.....	476
Public Utilities Commission, application of <i>Public Utilities Act</i> .....	476
composition.....	475
continued.....	475
new appointments.....	475
repeal of former provisions.....	476
salaries of members.....	476
term of office of members.....	475 76
vacancies.....	476
SECURITIES	
commencement of proceedings.....	338
mining company securities, method of offering for sale.....	337
SECURITY TRANSFER TAX	
commencement of Act.....	339
tax imposed in respect of sale of security executed outside Ontario....	339
SEINE RIVER DIVERSION	
Act	
commencement.....	345
Crown bound by.....	345
ACTION	
right of, not prejudiced.....	344
BEDS OF NAVIGABLE WATERS ACT	
lands subject to.....	344
COMPANY	
assignment of rights.....	344
compensation payable.....	342, 343
defined.....	341
former actions.....	342
right of entry, etc.....	342
COMPENSATION	
determined by judge.....	343
payable by company.....	342
CROWN	
Act binding on.....	543
conveyance of lands to.....	343





ST. LAWRENCE DEVELOPMENT— <i>Continued</i>	PAGE
POWER	
defined.....	349
POWER COMMISSION ACT	
powers under.....	352
proceedings in respect of compensation.....	351
PUBLIC WORKS ACT	
powers under.....	351
procedures under, to apply.....	351
RIGHTS-OF-WAY	
acquisition by Commission.....	352
SUPPLY	
defined.....	349
WORKS	
authorization for.....	350, 351
defined.....	349
title to.....	350
ST. PATRICK'S HOME OF OTTAWA	
commencement of Act.....	479
dissolution of corporation.....	479
Grey Nuns, agreement with, set out.....	480, 481
validated.....	478
authority to continue corporation.....	478
liability.....	478
transfer of title to.....	478
undertaking and property vested in.....	478
repeal of former provisions.....	479
STOCK YARDS	
provision re payment in lieu of taxes repealed.....	250
<i>See</i> MUNICIPAL TAX ASSISTANCE.	
STRATFORD (CITY)	
bus system, debentures.....	483
establishment.....	483
operation.....	483
commencement of Act.....	483
SUBURBAN AREA DEVELOPMENT	
commencement of Act.....	353
existing boards under Act, continuance.....	353
dissolution.....	353
<i>Suburban Area Development Act</i> , repealed.....	353
SUCCESSION DUTY	
commencement of Act.....	355
educational organizations, exemption.....	355
pension fund, payment under.....	355
SUMMARY CONVICTIONS	
removal of conviction into Supreme Court by certiorari provisions re, repealed.....	357
SUPPLY	
application of moneys to be accounted for.....	360
commencement of Act.....	360
provisions for fiscal year ending March 31st, 1952.....	359
March 31st, 1953.....	359
Schedules.....	361
SURROGATE COURTS	
commencement of Act.....	363
office hours.....	363
SYNAGOGUE AND JEWISH COMMUNITY CENTRE OF OTTAWA	
tax exemption.....	485

T

TAXATION

- See* ASSESSMENT.
- CORPORATION TAX.
- INCOME TAX SUSPENSION.
- MINING TAX.
- MUNICIPAL TAX ASSISTANCE.
- POWER COMMISSION.
- PROVINCIAL LAND TAX.
- SECURITY TRANSFER TAX.
- SUCCESSION DUTY.

TEACHERS' SUPERANNUATION

- contributors to, before May, 1937, who became civil servants..... 320

TELEPHONES

- See* RURAL TELEPHONE SYSTEMS.

TELEVISION

- See* MUNICIPAL.

TERRITORIAL DIVISION

- Algoma, addition of certain townships in..... 366
- boundaries of certain townships altered..... 367
- west boundary altered..... 366
- counties, municipalities in, brought up to date..... 365, 366
- territorial districts, municipalities in, brought up to date..... 367
- Thunder Bay, boundaries of certain townships altered..... 367
- east boundary altered..... 366

TIMBER

- See* CROWN TIMBER.
- CULLERS.
- FOREST FIRES PREVENTION.
- FOREST MANAGEMENT.
- FOREST RESOURCES REGULATION.
- FORESTRY.
- MILLS LICENSING.
- NURSERY STOCK.
- PRIVATE FOREST RESERVES
- PROVINCIAL FORESTS.
- PULPWOOD CONSERVATION.
- TREES.

TIMMINS SEPARATE SCHOOL BOARD

- commencement of Act..... 488
- composition..... 487
- members, election by general vote..... 487, 488
- term of office, generally..... 487
- of first..... 487
- present..... 488
- vacancies..... 488

TORONTO (CITY)

- BUSES AND TRUCKS..... 489
- required to use curb lanes..... 491
- COMMENCEMENT OF ACT..... 491
- CURB LANES..... 489
- requiring buses and trucks to use..... 491
- JEWISH HOME FOR THE AGED OF TORONTO..... 491
- grant authorized..... 491
- PARKING AUTHORITY..... 491
- annual report..... 491
- audit..... 491

TORONTO (CITY)—*Continued*

PAGE

PARKING AUTHORITY—*Continued*

budget and expenditures.....	490
debentures.....	491
dissolution.....	491
establishment.....	489
incorporation.....	490
members, disqualification of councillors as.....	490
number and qualification.....	490
re-appointment.....	490
salaries.....	490
powers.....	490

## PAVEMENTS

widening as local improvements.....	489
-------------------------------------	-----

## SIDEWALKS

widening as local improvements.....	489
-------------------------------------	-----

## TORONTO (TOWNSHIP)

## BOARD OF EDUCATION

application of certain Acts to.....	495
assets and liabilities vested in.....	494, 495
composition.....	494
establishment.....	493
first election.....	494
meeting.....	495
members, qualifications.....	494, 495
term of office of first.....	494
powers.....	493
respecting Port Credit public schools.....	493, 494

## CLAIMS

adjustment, between Port Credit and others.....	494
school sections in township.....	495

## COMMENCEMENT OF ACT.....

495

## PORT CREDIT

adjustment of claims.....	494
dissolution of public school board.....	494
members not to vote on public school matters.....	495
public schools, powers of Board of Education re.....	493

## PUBLIC SCHOOL BOARDS

assets and liabilities.....	495
claims, adjustment.....	495
dissolution, in township.....	493

## SOUTH PEEL DISTRICT HIGH SCHOOL BOARD

assets and liabilities.....	495
dissolution.....	493

## TOWNSHIP SCHOOL AREA

establishment.....	493
--------------------	-----

## TOURIST ESTABLISHMENTS

commencement of Act.....	369
regulations, providing for licensing of tourist establishments.....	369
tourist establishment, defined.....	369

## TRAFFIC LANES

*See* TORONTO (CITY).

## TRAILERS

*See* MUNICIPAL.

## TREES

commencement of Act.....	372
municipal reforestation, county, issue of debentures by.....	371

TREES—*Continued*

	PAGE
local municipalities, acquisition of lands outside.....	371
powers re reforestation.....	371
Minister of Lands and Forests, approval of by-laws.....	372
townships under 1,000, powers re reforestation.....	371, 372

## TRUSTEE

investments authorized.....	373, 374
power to deposit trust money.....	374

## TRUSTEES OF MASSEY HALL

Board of Governors, appointed members, first.....	498
resignation.....	498
vacancies.....	498
auditors, appointment.....	501
by-laws.....	499
chairman, election.....	498
first.....	498
remuneration, etc.....	499
composition.....	498
investments.....	501
meetings.....	499
members, appointed.....	497, 498
liability of.....	499
remuneration, etc.....	499
commencement of Act.....	501
corporation, chairman.....	498
<i>Charities Accounting Act</i> , application.....	501
<i>Companies Act</i> , application.....	499
defined.....	497
incorporation.....	498
investments.....	501
powers.....	500
incidental.....	501
sale and distribution of assets, etc.....	500, 501
staff, payment of, etc.....	501
trust property vested in.....	499
described.....	502-504
liabilities assumed by.....	499
definitions.....	497
objects.....	498
tax exemption.....	501

## V

## VENDORS AND PURCHASERS

appeal.....	376
county court, application as to requisitions, etc.....	375
removal of proceedings into Supreme Court from.....	375
reference to master.....	376

## VITAL STATISTICS

*See* CHANGE OF NAME.

## VOCATIONAL EDUCATION

commencement of Act.....	378
interpretation.....	377
provincial technical and polytechnical institutes, secretary of board, designation by principal, repealed.....	378
special industrial schools, admission.....	377
attendance, compulsory.....	378

## VOTERS' LISTS

municipal lists, appeals, allowance and expenses of judge on.....	379
procedure on.....	379
notice to party complaining, form of.....	380
complained against, form of.....	380
preparation, where assessment roll delayed.....	379

## W

PAGE

## WALLACEBURG ("OLD CEMETERY")

*See* J.L. THOMPSON SUPPLY LIMITED.

## WARBLE FLY CONTROL

Act	
commencement . . . . .	384
former provisions repealed . . . . .	384
By-LAWS	
copy to commissioner . . . . .	382
exemptions . . . . .	382
existing . . . . .	384
petition . . . . .	381
CATTLE OWNER	
defined . . . . .	381
duties . . . . .	382
petition . . . . .	381
CERTIFICATE OF TREATMENT	
form . . . . .	383
production . . . . .	383
COMMISSIONER	
copy of by-law to be sent to . . . . .	382
defined . . . . .	381
EXEMPTIONS FROM BY-LAWS	
regulations re . . . . .	383
GRANTS	
regulations re . . . . .	383
INSPECTORS	
appointment . . . . .	382
evidence . . . . .	382
cost of treatment by . . . . .	382
payment . . . . .	383
duties, regulations re . . . . .	383
obstruction, prohibited . . . . .	383
powers . . . . .	382
MINISTER	
approval of exemptions from by-law . . . . .	382
defined . . . . .	381
inspector authorized to accept payment of cost by . . . . .	383
MUNICIPALITY	
defined . . . . .	381
council, acquisition of equipment . . . . .	382
appointment of inspectors . . . . .	382
inspector authorized to accept payment of cost . . . . .	382
PENALTIES . . . . .	383
REGULATIONS	
defined . . . . .	381
Lieutenant-Governor in Council may make . . . . .	383, 384
TREATED FOR WARBLE FLY	
by-law requiring cattle to be . . . . .	381
defined . . . . .	381



WARBLE FLY CONTROL—*Continued*

PAGE

## WARBLE FLY

cost of treatment by inspector.....	382
control in unorganized territory.....	384
defined.....	381
treatment, equipment for.....	382
evidence of.....	383
regulations re.....	383

## WORKMEN'S COMPENSATION

## ACCIDENT PREVENTION ASSOCIATIONS

designation by Board.....	387
employees deemed employees of Board.....	387

ASSISTANCE TO PEACE OFFICERS.....	387
-----------------------------------	-----

COMMENCEMENT OF ACT.....	387
--------------------------	-----

## COMPENSATION

where employer required to pay capital sum.....	386
---	-----

## EMPLOYER

defined.....	385
where required to pay capital sum.....	386

## LEARNER

defined.....	385
--------------	-----

## MEMBER OF MUNICIPAL VOLUNTEER FIRE BRIGADE

defined.....	386
who deemed to be employer of.....	386

## WORKMAN

defined.....	386
--------------	-----

## Y

## YOUNG MEN'S CHRISTIAN ASSOCIATION OF BELLEVILLE

commencement of Act.....	505
tax exemption.....	505



# TABLE OF PUBLIC STATUTES

Title of Act	R.S.O. 1950 Chap.	Amendments in 1951; 1951 (2nd Sess.) and 1952
<b>A</b>		
Absconding Debtors Act.....	1	
Absentees Act.....	2	
Accidental Fires Act.....	3	
Accumulations Act.....	4	
Active Service Election Act (1945, c. 1).....	...	1951, c. 1, sup.
Administration of Justice Expenses Act.....	5	1951, c. 83, s. 1; 1952, c. 1.
Adolescent School Attendance Act.....	6	
Adoption Act.....	7	1951, c. 2.
Agricultural Associations Act.....	8	
Agricultural College Act (R.S.O. 1937, c. 374; 1946, c. 89, s. 4).....	...	1952, c. 2.
Agricultural Committees Act.....	9	
Agricultural Development Act.....	10	
Agricultural Development Finance Act..	11	
Agricultural Representatives Act.....	12	
Agricultural Societies Act.....	13	
Alberta Coal Sales Act.....	14	
Alcoholism Research Foundation Act (1949, c. 4).....	...	1951, c. 3.
Aliens' Real Property Act.....	15	
Anatomy Act.....	16	
Andrew Mercer Reformatory Act.....	17	
Apportionment Act.....	18	
Apprenticeship Act.....	19	
Arbitration Act.....	20	
Architects Act.....	21	
Archives Act.....	22	
Artificial Insemination Act.....	23	
Assessment Act.....	24	1951, c. 4; 1952, c. 3.
Assignment of Book Debts Act.....	25	1951, c. 83, s. 2.
Assignments and Preferences Act.....	26	
Athletics Control Act.....	27	
Audit Act.....	28	
Auxiliary Classes Act.....	29	1952, c. 4.
<b>B</b>		
Bailiffs Act.....	30	
Barristers Act.....	31	
Beach Protection Act.....	32	
Beaches and River Beds Act.....	33	
Beds of Navigable Waters Act.....	34	1951, c. 5.
Bees Act.....	35	
Bills of Sale and Chattel Mortgages Act.	36	
Blind Persons' Allowances Act.....	...	1951 (2nd Sess.), c. 1; 1952, c. 5.
Blind Workmen's Compensation Act....	37	
Boards of Education Act.....	38	1951, c. 6; 1952, c. 6.
Boilers and Pressure Vessels Act.....	...	1951, c. 7.
Bread Sales Act.....	39	
Bridges Act.....	40	
Building Trades Protection Act.....	41	
Bulk Sales Act.....	42	
Burlington Beach Act.....	43	
Business Records Protection Act.....	44	
<b>C</b>		
Cancer Remedies Act.....	45	
Cemeteries Act.....	46	
Change of Name Act.....	47	1951, c. 8; 1952, c. 7.

Title of Act	R.S.O. 1950 Chap.	Amendments in 1951; 1951 (2nd Sess.) and 1952
Charitable Gifts Act.....	48	
Charitable Institutions Act.....	49	1951, c. 9.
Charities Accounting Act.....	50	1951, c. 10.
Children of Unmarried Parents Act....	51	1952, c. 8.
Children's Maintenance Act.....	52	
Children's Protection Act.....	53	1951, c. 11; 1952, c. 9.
Chiropody Act.....	54	
Clean Grain Act.....	55	
Collection Agencies Act.....	56	
Commissioners for taking Affidavits Act.	57	
Community Centres Act.....	58	1951, c. 12.
Companies Act.....	59	1951, c. 13; 1952, c. 10.
Companies Information Act.....	60	
Conditional Sales Act.....	61	
Conservation Authorities Act.....	62	1952, c. 11.
Consolidated Cheese Factories Act.....	63	
Consolidated Revenue Fund Act.....	64	
Constitutional Questions Act.....	65	
Continuation Schools Act.....	66	1951, c. 14.
Controverted Elections Act.....	67	
Conveyancing and Law of Property Act..	68	1952, c. 12.
Co-operative Marketing Loans Act....	69	
Coroners Act.....	70	1951, c. 15.
Corporation Securities Registration Act.	71	
Corporations Tax Act.....	72	1952, c. 13.
Costs of Distress Act.....	73	
County Court Judges' Criminal Courts Act.....	74	
County Courts Act.....	75	1952, c. 14.
County Judges Act.....	76	1951, c. 16.
County Publicity Act.....	77	
Creditors' Relief Act.....	78	
Credit Unions Act.....	79	1951, c. 83, s. 3.
Crown Administration of Estates Act...	80	
Crown Attorneys Act.....	81	
Crown Timber Act.....	82	1952, c. 15, sup.
Crown Witnesses Act.....	83	
Cullers Act.....	84	1952, c. 15, s. 53, rep.
(See now Crown Timber Act.)		
Custody of Documents Act.....	85	1952, c. 16.
<b>D</b>		
Dairy Products Act.....	86	1952, c. 17.
Damage by Fumes Arbitration Act....	87	
Day Nurseries Act.....	88	1951, c. 17.
Debt Collectors Act.....	89	
Definition of Time Act.....	90	
Dental Technicians Act.....	91	
Dentistry Act.....	92	
Department of Agriculture Act.....	93	
Department of Education Act.....	94	1951, c. 18; 1952, c. 18.
Department of Labour Act.....	95	
Department of Municipal Affairs Act...	96	1951, c. 19; 1952, c. 19.
Department of Planning and Develop- ment Act.....	97	
Department of Public Welfare Act.....	98	
Department of Reform Institutions Act.	99	
Department of Travel and Publicity Act	100	
Dependants' Relief Act.....	101	1952, c. 20.
Deserted Wives' and Children's Main- tenance Act.....	102	1951, c. 20.
Devolution of Estates Act.....	103	1952, c. 21.
Disabled Persons' Allowances Act.....	...	1952, c. 22.
Disorderly Houses Act.....	104	
Ditches and Watercourses Act.....	105	
Division Courts Act.....	106	1952, c. 23.

Title of Act	R.S.O. 1950 Chap.	Amendments in 1951; 1951 (2nd Sess.) and 1952
Dog Tax and Live Stock Protection Act.	107	
Dominion Courts Act.....	108	
Dower Act.....	109	1952, c. 24.
Drugless Practitioners Act.....	110	1952, c. 25.
<b>E</b>		
Edible Oil Products Act.....	...	1952, c. 26.
Egress from Public Buildings Act.....	111	
Elderly Persons Housing Aid Act.....	...	1952, c. 27.
Election Act.....	112	1951, c. 21, sup.
Embalmers and Funeral Directors Act..	113	1951, c. 83, s. 4.
Employment Agencies Act.....	114	
Entry of Horses at Exhibitions Act.....	115	
Escheats Act.....	116	1951, c. 22.
Estates Tail Act.....	117	
Estreats Act.....	118	
Evidence Act.....	119	1952, c. 28.
Execution Act.....	120	
Execution of Trusts Act (1939, 2nd Sess., c. 3; 1940, c. 28, s. 12).....	...	1952, c. 29, rep.
Executive Council Act.....	121	
Extra-judicial Services Act.....	122	
Extramural Employment of Persons under Sentence Act.....	123	
Extra-provincial Corporations Act.....	124	
<b>F</b>		
Factors Act.....	125	
Factory, Shop and Office Building Act..	126	1951, c. 7, s. 46 and c. 23; 1952, c. 30.
Fair Employment Practices Act.....	...	1951, c. 24.
Farm Loans Act.....	127	
Farm Loans Adjustment Act.....	128	
Farm Products Containers Act.....	129	
Farm Products Grades and Sales Act..	130	
Farm Products Marketing Act.....	131	1951, c. 25.
Fatal Accidents Act.....	132	
Federal District Commission Act.....	133	
Female Employees Fair Remuneration Act.....	...	1951, c. 26.
Female Refugees Act.....	134	
Ferries Act.....	135	
Fines and Forfeitures Act.....	136	
Fire Accidents Act.....	137	
Fire Departments Act.....	138	1951, c. 27.
Fire Guardians Act.....	139	
Fire Marshals Act.....	140	
Firemen's Exemption Act.....	141	
Fire Extinguishment Act.....	142	
Floral Emblem Act.....	143	
Forest Fires Prevention Act.....	144	1951, c. 28; 1952, c. 31.
Forest Management Act.....	145	1952, c. 15, s. 53, rep.
(See now Crown Timber Act.)		
Forest Resources Regulation Act.....	146	1952, c. 15, s. 53, rep.
(See now Crown Timber Act.)		
Forestry Act.....	147	1952, c. 15, s. 53, rep.
(See now Crown Timber Act.)		
Forestry Act, 1952.....	...	1952, c. 32.
Fraudulent Conveyances Act.....	148	
Fraudulent Debtors Arrest Act.....	149	
Fruit Packing Act.....	150	
Frustrated Contracts Act.....	151	
Fuel Supply Act.....	152	

Title of Act	R.S.O. 1950 Chap.	Amendments in 1951; 1951 (2nd Sess.) and 1952
<b>G</b>		
Game and Fisheries Act.....	153	1951, c. 29; 1952, c. 33.
Gaming Act.....	154	
Gas and Oil Leases Act.....	155	
Gas Pipe Lines Act.....	156	1951, c. 30.
Gasoline Handling Act.....	157	
Gasoline Tax Act.....	158	1952, c. 34.
General Sessions Act.....	159	
Ginseng Act.....	160	
Gold Clauses Act.....	161	
Government Contracts Hours and Wages Act.....	162	1951, c. 31.
Greater Toronto Assessment Board Act..		
Guarantee Companies Securities Act....		
<b>H</b>		
Habeas Corpus Act.....	163	
Haliburton Act.....	164	
Health of Live Stock Act.....	165	1952, c. 35.
High Schools Act.....	166	1951, c. 32; 1952, c. 36.
Highway Improvement Act.....	167	1951, c. 33.
Highway Traffic Act.....	168	1951, c. 34.
Homes for the Aged Act.....	169	1951, c. 35; 1952, c. 37.
Horticultural Societies Act.....		
Hospitals and Charitable Institutions Inquiries Act.....	170	1952, c. 38.
Hospitals Tax Act.....	171	1951, c. 36.
Hotel Fire Safety Act.....	172	
Hotel Registration of Guests Act.....	173	
Hours of Work and Vacations with Pay Act.....	174	1951, c. 37; 1952, c. 39.
Housing Development Act.....		
<b>I</b>		
Income Tax Act.....	175	
Income Tax Agreement Act.....	176	
Income Tax Suspension Act.....	177	1951, c. 38; 1952, c. 40.
Industrial and Mining Lands Compensa- tion Act.....	178	
Industrial Farms Act.....	179	
Industrial Standards Act.....	180	
Infants Act.....	181	
Injured Animals Act.....	182	
Innkeepers Act.....	183	1951, c. 39; 1952, c. 41.
Insurance Act.....		
International Rapids Power Development Agreement Act.....	184	1952, c. 42.
Interpretation Act.....	185	1952, c. 43.
Interprovincial Drainage Act.....	186	
Investigation of Titles Act.....	187	
Investment Contracts Act.....		
<b>J</b>		
Jails Act.....	188	
Judges' Orders Enforcement Act.....	189	
Judicature Act.....	190	1951, c. 40; 1952, c. 44.
Junior Farmer Establishment Act.....	191	1952, c. 45.
Jurors Act.....	192	1951, c. 41; 1952, c. 46.
Justices of the Peace Act.....	193	1951, c. 42; 1952, c. 47, sup.
Juvenile and Family Courts Act.....		1952, c. 48.



Title of Act	R.S.O. 1950 Chap.	Amendments in 1951; 1951 (2nd Sess.) and 1952
<b>L</b>		
Labour Relations Act.....	194	
Lakes and Rivers Improvement Act....	195	
Land Surveyors Act.....	196	
Land Titles Act.....	197	1951, c. 43; 1952, c. 49.
Land Transfer Tax Act.....	198	1951, c. 44.
Landlord and Tenant Act.....	199	
Law Society Act.....	200	1951, c. 45.
Law Stamps Act.....	201	1952, c. 50.
Leasehold Regulations Act.....	202	1951, c. 46.
Legislative Assembly Act.....	203	1952, c. 51.
Legitimation Act.....	204	
Libel and Slander Act.....	205	
Lieutenant-Governor Act.....	206	
Lightning Rods Act.....	207	
Limitations Act.....	208	
Limited Partnerships Act.....	209	
Line Fences Act.....	210	
Liquor Control Act.....	211	1951, c. 47.
Liquor Licence Act.....	212	
Live Stock and Live Stock Products Act.	213	
Live Stock Branding Act.....	214	1952, c. 52.
Loan and Trust Corporations Act.....	215	1951, c. 48.
Local Improvement Act.....	216	
Logging Tax Act.....	217	
Long Point Park Act.....	218	
Lord's Day (Ontario) Act.....		
<b>M</b>		
Magistrates Act.....	219	1952, c. 53, sup.
Magistrates' Jurisdiction Act.....	220	
Marine Insurance Act.....	221	
Marriage Act.....	222	
Married Women's Property Act.....	223	
Master and Servant Act.....	224	
Maternity Boarding Houses Act.....	225	
Matrimonial Causes Act.....	226	
Mechanics' Lien Act.....	227	1952, c. 54.
Medical Act.....	228	1952, c. 55.
Mental Hospitals Act.....	229	1951, c. 49; 1952, c. 56.
Mental Incompetency Act.....	230	
Mercantile Law Amendment Act.....	231	
Milk and Cream Act.....	232	1952, c. 57.
Milk Control Act.....	233	1951, c. 50 and c. 83, ss. 5, 6 (aff.); 1952, c. 58.
Mills Licensing Act.....	234	1952, c. 15, s. 53, rep.
(See now Crown Timber Act.)		
Minimum Wage Act.....	235	
Mining Act.....	236	1951, c. 51; 1952, c. 59.
Mining Tax Act.....	237	1952, c. 60.
Minors' Protection Act.....	238	
Mortgages Act.....	239	1952, c. 61.
Mortgage Tax Act.....	240	
Mortmain and Charitable Uses Act....	241	
Mothers' Allowances Act.....	242	1951, c. 52; 1952, c. 62, sup.
Municipal Act.....	243	1951, c. 53; 1952, c. 63.
Municipal Arbitrations Act.....	244	
Municipal Corporations Quieting Orders Act.....	245	
Municipal Drainage Act.....	246	1952, c. 64.
Municipal Drainage Aid Act.....	247	
Municipal Electric Railways Act.....	248	
Municipal Franchises Act.....	249	
Municipal Health Services Act.....	250	
Municipal Subsidies Adjustment Act....	...	1952, c. 65.
Municipal Tax Assistance Act.....	...	1952, c. 66.

Title of Act	R.S.O. 1950 Chap.	Amendments in 1951; 1951 (2nd Sess.) and 1952
<b>N</b>		
Natural Gas Conservation Act.....	251	1951, c. 54; 1952, c. 67.
Negligence Act.....	252	
Niagara Development Act.....	...	1951, c. 55.
Niagara Development Agreement Act...	...	1951, c. 56.
Niagara Parks Act.....	253	1951, c. 57.
Notaries Act.....	254	
Nursery Stock Act.....	255	1952, c. 32, s. 12, rep.
(See now Forestry Act, 1952.)		
Nurses Act.....	256	1951, c. 59, s. 9, rep.
(See now Nursing Act.)		
Nurses Registration Act.....	...	1951, c. 58.
Nursing Act.....	...	1951, c. 59.
<b>O</b>		
Official Notices Publication Act.....	257	
Old Age Assistance Act.....	...	1951 (2nd Sess.), c. 2; 1952, c. 68.
Old Age Pensions Act.....	258	1951, c. 60; 1951 (2nd Sess.), c. 2, s. 13, rep.
(See now Old Age Assistance Act.)		
Oleomargarine Act.....	259	1951, c. 61.
One Day's Rest in Seven Act.....	260	
Ontario Cancer Institute Act.....	...	1952, c. 69.
Ontario Food Terminal Act.....	261	1952, c. 66, s. 9 (2).
Ontario Loan Act.....	...	1952, c. 70.
Ontario Municipal Board Act.....	262	1952, c. 71.
Ontario Municipal Improvement Cor- poration Act.....	263	
Ontario Northland Transportation Com- mission Act.....	264	
Operating Engineers Act.....	265	
Optometry Act.....	266	1951, c. 63.
<b>P</b>		
Parents' Maintenance Act.....	267	
Parole Act.....	268	1952, c. 72.
Partition Act.....	269	1952, c. 73.
Partnerships Act.....	270	
Partnerships Registration Act.....	271	
Pawnbrokers Act.....	272	
Penal and Reform Institutions Inspection Act.....	273	
Personation Act.....	274	
Petty Trespass Act.....	275	
Pharmacy Act.....	276	1951, c. 64; 1952, c. 74.
Planning Act.....	277	1951, c. 65; 1952, c. 75.
Plant Diseases Act.....	278	1952, c. 76.
Police Act.....	279	1951, c. 66.
Pounds Act.....	280	
Power Commission Act.....	281	1951, c. 67; 1952, c. 77.
Power Commission Insurance Act.....	282	
Power Control Act.....	283	
Powers of Attorney Act.....	284	
Prepaid Hospital and Medical Services Act.....	285	
Presqu'île Park Act.....	286	
Private Detectives Act.....	287	
Private Forest Reserves Act.....	288	1951, c. 68; 1952, c. 32, s. 12, rep.
(See now Forestry Act, 1952.)		
Private Hospitals Act.....	289	
Private Sanitaria Act.....	290	
Probation Act.....	291	
Proceedings Against the Crown Act.....	...	1952, c. 78.

Title of Act	R.S.O. 1950 Chap.	Amendments in 1951; 1951 (2nd Sess.) and 1952
Professional Engineers Act.....	292	1952, c. 79.
Property and Civil Rights Act.....	293	
Protection of Cattle Act.....	294	
Provincial Aid to Drainage Act.....	295	
Provincial Auctioneers Act.....	296	
Provincial Forests Act.....	297	1952, c. 15, s. 53, rep.
( <i>See now Crown Timber Act.</i> )		
Provincial Land Tax Act.....	298	1952, c. 80.
Provincial Loans Act.....	299	1951, c. 69; 1952, c. 81.
Provincial Parks Act.....	300	1952, c. 82.
Psychiatric Hospitals Act.....	301	
Public Accountancy Act.....	302	
Public Authorities Protection Act.....	303	
Public Commercial Vehicles Act.....	304	1952, c. 83.
Public Halls Act.....	305	
Public Health Act.....	306	1951, c. 70; 1952, c. 84.
Public Hospitals Act.....	307	1952, c. 85.
Public Inquiries Act.....	308	
Public Lands Act.....	309	1951, c. 71; 1952, c. 86.
Public Libraries Act.....	310	1952, c. 87.
Public Officers Act.....	311	
Public Officers' Fees Act.....	312	1951, c. 72.
Public and Other Works Wages Act....	313	
Public Parks Act.....	314	
Public Revenue Act.....	315	
Public Schools Act.....	316	1951, c. 73.
Public Service Act.....	317	1951, c. 74 and c. 83, s. 7 (aff.); 1952, c. 88.
Public Service Works on Highways Act.	318	
Public Trustee Act.....	319	1952, c. 89.
Public Utilities Act.....	320	1951, c. 75.
Public Utilities Corporations Act.....	321	
Public Vehicles Act.....	322	
Public Works Act.....	323	
Public Works Protection Act.....	324	
Pulpwood Conservation Act.....	325	1952, c. 15, s. 53, rep.
( <i>See now Crown Timber Act.</i> )		
<b>Q</b>		
Quieting Titles Act.....	326	
<b>R</b>		
Race Tracks Tax Act.....	327	
Racial Discrimination Act.....	328	
Racing Commission Act.....	329	1951, c. 76.
Railway Fire Charge Act.....	330	1951, c. 77.
Railways Act.....	331	
Real Estate and Business Brokers Act..	332	1952, c. 90.
Reciprocal Enforcement of Judgments Act.....	333	
Reciprocal Enforcement of Maintenance Orders Act.....	334	
Reformatories Act.....	335	
Registry Act.....	336	1951, c. 78; 1952, c. 91.
Regulations Act.....	337	
Religious Institutions Act.....	338	
Replevin Act.....	339	
Representation Act.....	340	
Revised Statutes Confirmation Act.....	...	1951, c. 79.
Rights of Labour Act.....	341	
Rural Housing Assistance Act.....	...	1952, c. 92.
Rural Hydro-Electric Distribution Act..	342	
Rural Power District Loans Act.....	343	
Rural Power District Service Charge Act	344	
Rural Telephone Systems Act.....	...	1951, c. 80; 1952, c. 93.

Title of Act	R.S.O. 1950 Chap.	Amendments in 1951; 1951 (2nd Sess.) and 1952
<b>S</b>		
Sale of Goods Act.....	345	
Sanatoria for Consumptives Act.....	346	1951, c. 81; 1952, c. 94.
Sandwich, Windsor and Amherstburg Railway Act (1939, c. 43; 1949, c. 91) .....	...	1952, c. 95.
School Attendance Act.....	347	
School Sites Act.....	348	1951, c. 82.
School Trust Conveyances Act.....	349	
Schools for the Deaf and Blind Act.....	350	
Securities Act.....	351	1951, c. 83, s. 8; 1952, c. 96.
Security Transfer Tax Act.....	352	1952, c. 97.
Seduction Act.....	353	
Seed Grain Subsidy Act.....	354	
Seed Potatoes Act.....	355	
Seine River Diversion Act.....	...	1952, c. 98.
Separate Schools Act.....	356	
Settled Estates Act.....	357	
Settlers' Pulpwood Protection Act.....	358	
Sheriffs Act.....	359	1952, c. 99.
Short Forms of Conveyances Act.....	360	
Short Forms of Leases Act.....	361	
Short Forms of Mortgages Act.....	362	
Silicosis Act.....	363	
Ski Tows Act.....	364	
Slot Machines Act.....	365	
Snow Roads and Fences Act.....	366	
Soldiers' Aid Commission Act.....	367	
Solicitors Act.....	368	
Spruce Pulpwood Exportation Act.....	369	
Stallions Act.....	370	
Statute of Frauds.....	371	
Statute Labour Act.....	372	
Statute Law Amendment Act.....	...	1951, c. 83.
Statutes Act.....	373	
Steam Boilers Act.....	374	1951, c. 7, s. 46, rep.
(See now Boilers and Pressure Vessels Act.)		
Steam Threshing Engines Act.....	375	
St. Lawrence Development Act.....	...	1952, c. 100.
Stock Yards Act.....	376	1952, c. 66, s. 9 (1).
Suburban Area Development Act.....	377	1952, c. 101, rep.
Succession Duty Act.....	378	1951, c. 84; 1952, c. 102.
Summary Convictions Act.....	379	1952, c. 103.
Supply Act.....	...	1952, c. 104.
Surrogate Courts Act.....	380	1952, c. 105.
Surveys Act.....	381	
Survivorship Act.....	382	
<b>T</b>		
Teachers' Boards of Reference Act.....	383	
Teachers' Superannuation Act.....	384	1951, c. 86.
Teaching Profession Act.....	385	
Telegraph Act.....	386	
Telephone Act.....	387	
Territorial Division Act.....	388	1952, c. 106.
Theatres and Cinematographs Act.....	389	
Threshing Machines Act.....	390	
Ticket Speculation Act.....	391	
Tile Drainage Act.....	392	
Tourist Establishments Act.....	393	1952, c. 107.
Town Sites Act.....	394	
Trade Schools Regulation Act.....	395	
Training Schools Act.....	396	1951, c. 87.
Transportation of Fowl Act.....	397	

Title of Act	R.S.O. 1950 Chap.	Amendments in 1951; 1951 (2nd Sess.) and 1952
Travelling Shows Act.....	398	
Trees Act.....	399	1952, c. 108.
Trustee Act.....	400	1951, c. 88; 1952, c. 109.
<b>U</b>		
Unclaimed Articles Act.....	401	1951, c. 89.
Unconscionable Transactions Relief Act.....	402	
Unemployment Relief Act.....	403	1951, c. 90.
Unwrought Metal Sales Act.....	404	
<b>V</b>		
Vacant Land Cultivation Act.....	405	
Vaccination Act.....	406	
Vendors and Purchasers Act.....	407	1952, c. 110.
Venereal Diseases Prevention Act.....	408	
Veterinary Science Practice Act.....	409	
Vexatious Proceedings Act.....	410	
Vicious Dogs Act.....	411	
Vital Statistics Act.....	412	1951, c. 91.
Vocational Education Act.....	413	1951, c. 92; 1952, c. 111.
Voters' Lists Act.....	414	1951, c. 93, sup.; 1952, c. 112.
<b>W</b>		
Wages Act.....	415	
Warble Fly Control Act.....	416	1952, c. 113, sup.
Warehousemen's Lien Act.....	417	
Warehouse Receipts Act.....	418	
War Veterans Burial Act.....	419	
Water Powers Regulation Act.....	420	
Weed Control Act.....	421	
Welfare Units Act.....	422	
Well Drillers Act.....	423	
Wharfs and Harbours Act.....	424	
White Cane Act.....	425	
Wills Act.....	426	
Wolf and Bear Bounty Act.....	427	1951, c. 94.
Woodmen's Employment Act.....	428	
Woodmen's Lien for Wages Act.....	429	
Workmen's Compensation Act.....	430	1951, c. 95; 1952, c. 114.
Workmen's Compensation Insurance Act.....	431	





# TABLE OF PROCLAMATIONS

Setting out the Acts and parts of Acts  
contained in the Revised Statutes of  
Ontario, 1950 and subsequent an-  
nual volumes that have been and  
that are to be brought into force  
by Proclamation

---

## A

### ACTS AND PARTS THEREOF PROCLAIMED AND THE DATES UPON WHICH THEY CAME INTO FORCE

ACTIVE SERVICE ELECTION ACT: 1951, c. 1 (4th October, 1951).  
BLIND PERSONS' ALLOWANCES ACT: 1951 (2nd Sess.), c. 1 (15th December, 1951).  
COMPANIES AMENDMENT ACT: 1951, c. 13 (1st July, 1951).  
INSURANCE AMENDMENT ACT: 1951, c. 39, ss. 4 and 5 (1st July, 1951); ss. 2 and 7 to 18  
(1st January, 1952).  
JUDICATURE AMENDMENT ACT: 1951, c. 40, s. 1 (1st September, 1951).  
LEASEHOLD REGULATIONS ACT: 1951, c. 46 (30th April, 1951).  
MILK AND CREAM AMENDMENT ACT: 1952, c. 57 (30th April, 1952).  
NURSES' REGISTRATION ACT: 1951, c. 58 (24th January, 1952).  
NURSING ACT: 1951, c. 59 (24th January, 1952).  
OLD AGE ASSISTANCE ACT: 1951 (2nd Sess.), c. 2 (15th December, 1951).  
RURAL TELEPHONE SYSTEMS ACT: 1951, c. 80 (28th February, 1952).

## B

### ACTS AND PARTS THEREOF NOT PROCLAIMED AS OF JUNE 3RD, 1952

ASSESSMENT AMENDMENT ACT: 1952, c. 3, s. 8.  
BOILERS AND PRESSURE VESSELS ACT: 1951, c. 7.  
CROWN TIMBER ACT: 1952, c. 15.  
DISABLED PERSONS' ALLOWANCES ACT: 1952, c. 22.  
EDIBLE OIL PRODUCTS ACT: 1952, c. 26.  
INCOME TAX ACT: R.S.O. 1950, c. 175.  
INSURANCE ACT: R.S.O. 1950, c. 183, ss. 311, 312, 313.  
INTERNATIONAL RAPIDS POWER DEVELOPMENT AGREEMENT ACT: 1952, c. 42.  
MINING ACT: R.S.O. 1950, c. 236, s. 155 (application to certain parts of Ontario).  
ONTARIO CANCER INSTITUTE ACT: 1952, c. 69.  
OPTOMETRY AMENDMENT ACT: 1951, c. 63.  
PROCEEDINGS AGAINST THE CROWN ACT: 1952, c. 78.  
PROVINCIAL PARKS AMENDMENT ACT: 1952, c. 82.  
ST. LAWRENCE DEVELOPMENT ACT: 1952, c. 100.  
WAREHOUSE RECEIPTS ACT: R.S.O. 1950, c. 418, s. 31 (application to certain articles).













**University of Toronto  
Library**

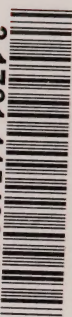
---

**DO NOT  
REMOVE  
THE  
CARD  
FROM  
THIS  
POCKET**

---

**Acme Library Card Pocket  
LOWE-MARTIN CO. LIMITED**





3 1761 11549060 9